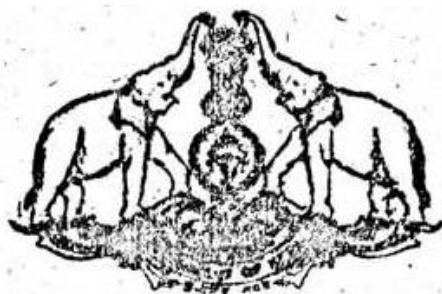


Government of Kerala  
1976

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# KERALA GAZETTE

## EXTRAORDINARY

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GOVERNMENT OF KERALA

Higher Education (B) Department

NOTIFICATION—I

No. 35729/B2/75/H. Edn.

*Dated, Trivandrum, 30th March, 1976.*

**S. R. O. No. 378/76.**—In exercise of the powers conferred by Section 82 of the Calicut University Act, 1975 (5 of 1975), the Government of Kerala hereby make the following First Statutes in respect of Pension, Provident Fund, Gratuity, Insurance and Age of retirement of teachers of Private Colleges, namely:—

#### FIRST STATUTES

##### CHAPTER I

##### General

1. *Applicability and Commencement.*—(1) These Statutes shall apply to all teachers in every Private College (including a Private Engineering College and Training College) the Management of which has executed an agreement with the Government for the direct payment of salary in pursuance

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of the orders issued by the Government in G.O. MS. No. 185/72/Education dated 30-8-1972, G. O. MS. No. 217/72/Education dated 30-9-1972 and G.O. MS. No. 133/73/Education dated 4-9-1973 and the agreement executed by each Management shall form part of these Statutes as if enacted herein in respect of that Management.

(2) They shall come into force at once.

2. *Definitions and Rule of construction.* (1) In these Statutes, unless the context otherwise requires:—

(a) "Academic year" means a period of twelve months commencing on the first day of June:

Provided that in the case of teachers who are granted extension of service till the end of an academic year, the academic year shall mean a period of ten months commencing from the first day of June;

(b) "Act" means the Calicut University Act, 1975 (5 of 1975);

(c) "Chapter" means a Chapter of these Statutes;

(d) "Form" means a form appended to these Statutes;

(e) "Laws of the University" - means the provisions contained in the Calicut University Act, 1975 (5 of 1975) the Statutes, the Ordinances, the Regulations, the rules, the bye-laws and the orders made under the Act;

(f) "Teacher" means a teacher of a Private College.

(2) Words and expressions used and not defined in these Statutes but defined in the Calicut University Act, 1975 (5 of 1975) or in the Interpretation and General Clauses Act, 1125 or in the Kerala Service Rules shall have the meanings respectively assigned to them in those Acts or those rules.

(3) Any reference in these Statutes to the Director of Collegiate Education or the Zonal Deputy Director of Collegiate Education, shall, in relation to a Private Engineering College, be construed as a reference to the Director of Technical Education or such Officer as he may authorise, for the purpose of administration of these Statutes.

(4) If any doubt arises regarding the interpretation of any of the provisions of these Statutes, the matter shall be referred to the Chancellor whose decision thereon shall be final.

3. *Age of superannuation.*—(1) Save as otherwise provided in these Statutes, the age of compulsory retirement on superannuation shall be 55 years.

*Note:*—No teacher who has retired from service shall be re-employed in any private college or Government college.

(2) Except as otherwise provided in these Statutes, the compulsory retirement of a teacher shall take effect from the afternoon of the last day of the month in which he attains the age of 55 years.

(3) The teachers of private colleges (including Principals) who complete the age of 55 years during the course of an academic year shall continue in service till the last day of the month in which the academic year ends. They shall not be eligible for promotion to another post during the period of such extension. If they are on leave on the day they attain the age of 55 years and if there is no prospect of their returning to duty before the closing day of the academic year for vacation, they shall be retired with effect from the last day of the month in which they attain the age of 55 years.

(4) If the day on which the teachers (including Principals) attain the age of 55 years falls within the period of one month beginning with the day of re-opening of the college, they shall cease to be on duty with effect from the date of such re-opening to the last day of the month in which they attain the age of 55 years.

(5) If they are eligible to continue in service till the close of the academic year under clause (3), they shall be granted additional leave from the date of closing for vacation till the last day of the month when the date of closing is earlier than the last day of the month.

(6) The additional leave granted under clauses (4) and (5) shall not be counted against the eligible leave and shall count for pension. During the period of such additional leave they shall be entitled to draw leave allowance at the same rate as the pay and allowances they would have drawn if they were on duty.

*Explanation 1.*—In the case of a teacher whose year of birth is known but not the exact month and date, the first July shall be taken as the date of birth and where the year and month are known but not the exact date of birth, the 16th day of the month shall be taken as the date of birth.

*Explanation 2.*—For the purposes of this Statute, in the case of a teacher who entered service prior to first January, 1950 and whose date of birth has been noted in Malabar Era in the Service Records, the age may be calculated in the Malabar Era.

*Explanation 3.*—Completion of 55 years of age in service is in the afternoon and not in the forenoon. A person whose date of birth is first of July completes his 55th year on 30th June and that date (30th June) is the last day of the month in which he completes the 55th year. On first of July he is on his 56th year. He shall cease to be in service with effect on and from 1st July.

*Explanation 4.*—A teacher whose date of birth is first July and who attains the age of 55 years shall not continue in service till the end of the academic year.

*Explanation.* 5.—In this Statute, the words “last day of the month” used means the last day of the month in Christian Era. In case where the date of superannuation is calculated in the Malabar Era in accordance with Explanation 2 the corresponding date in the Christian Era shall be reckoned for arriving at the last day of the month”

4. *Age of superannuation, etc., of the teachers who entered service before 1-4-1958.*—

(a) Teachers of Private Colleges who have entered service prior to 1-4-1958 shall have the right to retire at the age of sixty and be governed by the provisions of Chapter III or to opt for the provisions contained in Chapter II. “Those who have entered service prior to 1-4-1958 and who have completed 55 years on the date of commencement of these Statutes but who opt for the age of retirement at 55, shall retire only with effect from the date on which they exercise their option. Those who have entered service on or after 1-4-1958 and completed 55 years at the commencement of these Statutes shall retire on 1-4-1976 forenoon.

(b) If they opt for Chapter II their service beyond the 55th year of age shall not count for pension, gratuity etc. and their contributory provident fund contribution shall to the extent mentioned in Statute 47 and gratuity may be credited to the account of the Government with effect from the date of commencement of these Statutes.

(2) An option under clause (1) shall be preferred in the form prescribed in Appendix IV within a period of three months from the commencement of these Statutes or within such further time not exceeding three months, as the Vice-Chancellor may specify in this behalf. The option shall be sent to the Director of Collegiate Education.

(3) An option once exercised shall be final.

(4) The teachers who have not exercised any option within the prescribed period shall be deemed to have opted to be governed by the provisions contained in Chapter II.

## CHAPTER II

5. *Kerala Service Rules to apply to teachers who retire at the age of 55 years.*— (1) The teachers who retire at the age of 55 shall be entitled to receive the same pensionary benefits as are allowed to similar categories of teachers in Government Colleges including family pension and death-cum-retirement gratuity and all the conditions for the grant of these benefits applicable to Government Servants as laid down in Part III of the Kerala Service Rules (as amended from time to time) shall mutatis mutandis apply to such teachers.

(2) Case of teachers who entered service on or after 1-4-1958.

In the cases of teachers who entered service on or after 1-4-1958 and are above 55 but below 60 years of age on the date of commencement of these Statutes, their service only upto the age of 55 years shall count for pension



and gratuity. They shall credit the amount contributed by the Management and the University and the gratuity to the credit of the Government".

(3) The Director of Collegiate Education in the case of teachers of Private Arts, Science and Training Colleges and the Director of Technical Education in the case of Private Engineering Colleges shall be pension sanctioning authorities and they shall furnish the following certificates to the Accountant General:—

(i) Certified, that the services for which pension/gratuity/family pension are claimed have been verified with reference to the initial records, such as Attendance Register, Acquittance Rolls, pay bills etc., and should be admitted.

(ii) Certified that the emoluments drawn have been approved and emoluments as defined in the Statutes have been reckoned for pension/gratuity/family pension.

6. *Contribution to Provident Fund.*—Every teacher to whom this Chapter applies, shall compulsorily contribute to the Provident Fund as laid down in Chapter V.

### CHAPTER III

#### **Pension, Provident Fund and Insurance for Private College Teachers**

7. *Teachers to whom this chapter applies.*—(1) The provisions of this chapter shall apply to those teachers of Private Colleges who entered service prior to 1-4-1958 and who opt for the age of retirement at 60 years and agree to be governed by the provisions of this chapter;

(2) All teachers other than those mentioned in clause (1) shall be governed by the provisions of Chapters II and V.

8. *Provisions of chapter to apply to Pension-cum-Provident Fund-cum-Insurance Scheme.*—The scheme of Pension-cum-Provident Fund-cum-Insurance for private college teachers shall be governed by the provisions of this chapter. Teachers of private colleges who are now governed by the provisions of Chapters L I and L II of the First Statutes issued under the Kerala University Act, 1969 (9 of 1969) or any order or rule in force at the commencement of these Statutes and who opt to be governed by this chapter shall be governed by the provisions contained in this Chapter.

9. *Provident Fund.*—Every teacher in a private college who opts for the provisions in this Chapter, shall subscribe to the Contributory Provident Fund to be instituted in accordance with the provisions of Chapter IV.

10. *Insurance.*—Every teacher, shall, within one year from the date on which he completes five years of service, insure his life for a policy maturing at the age of 55 years for an amount which shall not be less than the amount specified in the table below and keep the policy alive and unencumbered:

Provided that if a teacher has already completed five years of service at the commencement of these Statutes, he shall insure his life within a period of one year from the date of such commencement:

Provided further that if a teacher has already taken out a life insurance policy for the minimum amount specified in the table below and if it is unencumbered, he need not take out a fresh policy under the Statute.

TABLE

| Category   | Those who have not completed the age of 30 years | Those who have completed the age of 30 years but not 35 years | Those who completed the age of 35 years but not 40 years |
|--|--|---|--|
| 1. Junior Lecturers  | 3,000  | 2,500   | 2,000  |
| 2. Lecturers/Assist. Lecturers/Instructors, Grade I and II       | 5,000  | 4,500   | 4,000  |
| 3. Second Grade Professors/Assistant Professors/Workshop Supdts. | 7,000  | 6,500   | 6,000  |
| 4. Principals/First Grade Professors                             | 10,000   | 9,500   | 9,000  |

11. *Additional insurance.*—When a teacher belonging to the categories specified in Statute 10 is appointed to a post in the higher category as a probationer he shall, within six months of such appointment, effect additional insurance so as to bring his total insurance to cover the minimum amount appropriate to his new category. No such additional insurance need however be effected in cases where in the opinion of the Zonal Deputy Director of Collegiate Education concerned, the teachers chances of holding the post in the higher category are not such as to enable him to finance the policy for the higher amount.

12. *Insurance not necessary in certain cases.*—Notwithstanding anything contained in Statutes 10 and 11, a teacher who is wholly rejected for life insurance as a bad life or who has completed the age of 40 years shall not be required to take out a life insurance policy.

13. *Consequence of failure to insure.*—If a teacher in a Private College fails to take out a policy as laid down in Statutes 10 and 11, his increment may be withheld by the authority competent to do so.

14. *Recovery for payment of premium.*—A subscriber may, at his option, withdraw annually, from the portion of the accumulations in his provident fund representing his own subscription including interest thereon, the amount required for payment of life insurance premia. In the case of a teacher who defaults payment of life insurance premia, the Zonal Deputy Director of Collegiate Education concerned may recover such defaulted amount from the pay of the teacher and pay the same to the insurance office direct. The insurance policies shall be produced every year for inspection to the Principal in the case of teachers upto and inclusive of the level of the First Grade Professors and to the Zonal Deputy Director of Collegiate Education concerned in the case of Principals.

15. *Assignment of Policy.*—A policy taken by a married teacher under these Statutes may be assigned to any member of the subscriber's family, and not to any one as a gift or for value received.

*Explanation.*—For the purposes of this Statute, "family" means—

- (a) Wife or husband;
- (b) Minor children excepting married daughters living with their husbands and not depending on the teacher;
- (c) Unmarried major daughters solely dependent on the teacher;
- (d) Married daughters widowed or divorced and solely dependent on the teacher;
- (e) Father and mother solely dependent on the teacher for maintenance.

16. *Service beyond 55 years not to qualify for pension and gratuity.*—The service of teachers in private colleges beyond the age of 55 shall not qualify for pension and gratuity under these Statutes.

17. *Qualifying service.*—(1) In computing the length of service for calculation of pension and gratuity, continuous service shall alone be reckoned as qualifying service.

(2) Time passed on leave of any kind shall be allowed to count as qualifying service to the extent provided under Rule 26 of Part III of the Kerala Service Rules.

18. *Time of eligibility for pension and gratuity.*—A teacher shall be eligible for payment of pension or gratuity, as the case may be:—

- (i) on retirement after attaining the age of superannuation or on voluntary retirement after completing a qualifying service of 20 years; or



- (ii) on discharge due to the abolition of the post; or
- (iii) on discharge due to invalidation on medical grounds.

*Note*.—The rules regarding medical certificate in the Kerala Service Rules shall be followed in the case of invalidation on medical grounds.

19. *Eligibility for pension*.—A teacher shall be eligible for pension if he has rendered a total qualifying service of 10 years or more. The pension for each completed year of service shall be calculated at 1/120th of the average emoluments subject to a maximum of 30/120th of the average emoluments. If the qualifying service is less than 10 years but not less than 5 years, a gratuity equal to one-half of month's emoluments last drawn for each completed year of service shall be paid. No Gratuity shall be admissible to a teacher who has put in a qualifying service of less than 5 years.

Provided that a minimum monthly pension payable under this Chapter shall be such amount as may be specified by the Government from time to time.

*Explanation 1*.—The term "emoluments" means the actual pay and dearness pay drawn excluding all allowances which are in the nature of compensatory or supervisory or other allowances.

*Explanation 2*.—The expression "average emoluments" in the case of a teacher means the emoluments for a month calculated for the last 12 months immediately preceding the date on which he completes 55 years of age.

*Explanation 3*.—In the case of a teacher who continues in service upto 60 years, the average emoluments shall be calculated on the basis of emoluments drawn during the last 12 months immediately preceding the date on which he completes 55 years of age.

*Explanation 4*.—The term "family" has the same meaning as in Statute 15.

*Explanation 5*.—In the case of a teacher who retires voluntarily or otherwise before 55 years of age, the expression "average emoluments" for the purpose of calculating the pension under this Statute, shall be the emoluments for 12 months immediately preceding the date with effect from which he retires.

*Explanation 6*.—The service put in by a teacher before he has completed 18 years of age shall not qualify for pension or gratuity.

20. *Compassionate gratuity to families of teachers dying in harness*.—(1) No claim for compassionate gratuity to the families of teachers who die in harness shall be entertained by the Government. However, Government may grant compassionate gratuity to the families of the teachers who die in harness while in service whose death have taken place within 3 years immediately preceding



the 1st September 1972 or 1st June 1973 in the case of Training Colleges at the rate of half month's pay for each year of qualifying service based on the monthly pay drawn by the teacher for the month of April each year.

*Explanation.*—In this clause the term "family" shall have the same meaning as in Statute 15.

(2) In calculating the monthly rate of pay, the pay drawn after the 55th year of age shall not be reckoned.

(3) The minimum service required for the grant of compassionate gratuity shall be five years' complete service qualifying for pension. The maximum service for which compassionate gratuity shall be payable shall be limited to 30 years.

(4) The maximum monthly pay for the calculation of compassionate gratuity shall be three hundred rupees.

(5) The maximum amount of compassionate gratuity payable to the family of a deceased teacher shall in no case exceed three thousand rupees.

(6) The grant of compassionate gratuity shall be entirely within the discretion of the Government.

21. *Reduction of pension.*—The pension payable to a teacher under these statutes shall be subject to such reduction as may be ordered by the sanctioning authority for unsatisfactory work and conduct during the period of service as teacher.

22. *No pension to teacher dismissed or removed from service.*—Notwithstanding anything contained in these Statutes, no teacher shall be eligible for any pension if he has been dismissed or removed from service for misconduct, insolvency or inefficiency.

23. *Authorisation of pension and anticipatory pension.*—After verification of the pension application by the Accountant General, the pension found admissible shall be sanctioned by the authorities empowered by the Government in this behalf. On receipt of sanction together with the connected documents in his office, the Accountant General will issue the pension payment order to the person concerned. In case of delay, the payment of an anticipatory pension not exceeding 75% of the pension to which he is entitled may be authorised by the Accountant General after necessary investigation provided that such disbursement shall be made only after the declaration specified below has been signed by the retiring teacher".

#### DECLARATION

An advance payment of pension having been authorised in my favour, I hereby declare that I clearly understand that the payment is strictly provisional and is subject to revision after the exact amount of any pension to me has been decided upon and sanctioned by the Government, and I further

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promise that if, upon such revision, any provisional payment of pension made to me has been in excess of the amount eventually sanctioned, I shall repay all such excess payment by deduction from my monthly pension.

24. *Concessions to be ordered by Government*.—Cases requiring the grant of any concession not contemplated in these Statutes, shall be submitted to Government for their orders.

25. *Pension not to be commuted or increased*.—(1) There shall be no commutation of pension sanctioned under these Statutes.

(2) The pension sanctioned under these statutes shall carry no temporary increase.

#### CHAPTER IV

#### **Contributory Provident Fund for Teachers who opt for the provisions of Chapter III.**

26. *Application of Chapter*.—The Statutes in this Chapter shall regulate the contributory Provident Fund for teachers who opt for the provisions of Chapter III.

27. *Definitions*.—(1) In this Chapter, unless the context otherwise requires:—

(a) "Contribution" means the amount contributed to the Fund by the Government under Statute 33.

(b) "Family" means:—

(a) In the case of a male subscriber, the wife or wives and children of the subscriber and the widow or widows and children of a deceased son of the subscriber.

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall hence forth be deemed to be no longer a member of the subscriber's family in matters to which the statutes in this Chapter relate, unless the subscriber subsequently indicates in writing to the Zonal Deputy Director of Collegiate Education that she shall continue to be so regarded.

(b) In the case of a female subscriber, the husband and children of the subscriber, and the widow or widows and children of a deceased son of the subscriber.

Provided that if a subscriber in writing to the Zonal Deputy Director concerned expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which the statutes in this Chapter relate, unless the subscriber subsequently cancels formally in writing her desire to exclude him.

*Note*:—‘Children’ means ‘legitimate children’ and includes ‘Adopted children’.

- (c) ‘Fund’ means the Contributory Provident Fund for Private College Teachers;
- (d) ‘Pay’ means the basic pay of the permanent or of officiating appointment held by a subscriber, exclusive of all allowances;
- (e) ‘Subscriber’ means a teacher who subscribes to the Fund;
- (f) ‘Subscription’ means the amount subscribed to the Fund by a teacher;
- (g) ‘Leave’ means any kind of leave to which the subscriber is eligible;
- (h) ‘Year’ means the financial year.

(2) Any other expression used and not defined in this Chapter but defined in the Provident Funds Act, 1925 (Central Act 19 of 1925), shall have the meanings respectively assigned to them in that Act.

28. *Manner of contribution*.—All contributions to the Fund shall be made by means of deposits in Savings Bank Accounts in Government Treasuries.

29. *Scope of the Fund*.—(1) It shall be compulsory for teachers of private colleges who as on 31-3-1958 have been subscribers to the Provident Fund and who have opted to be governed by the provisions of chapter III within the prescribed time limit to subscribe to the fund.

*Explanation 1*.—Teachers who belong to a religious order which imposes on its members vows of poverty may, on their specific request in writing, be exempted from admission to the Fund by the Zonal Deputy Director of Collegiate Education concerned.

*Explanation 2*.—Teachers whose appointments have not been approved by the Syndicate or by such authority as the Syndicate may specify in that behalf, shall not be required to join the fund.

*Explanation 3*.—Part-time Teachers are not eligible to join the Fund.

(2) In the case of teachers to whom clause (1) applies, the amount to their credit in the existing Provident Fund Account excluding the contributions made by the Management and the University and the interest on such contributions under the relevant orders in force upto and including the date of actual transfer shall be credited to their accounts in the new Fund when they are admitted to the same. The Contributions made by the University and the Management and the interest on such contributions shall be credited to the Government.

30. *Procedure for admission to the Fund*.—The Zonal Deputy Director of Collegiate Education concerned shall be competent to admit the teachers to



the Fund. He shall direct all the teachers who are to be admitted to the Fund to submit to him an application in Form I through the Principal. Every subscriber shall on joining the Fund, be required to sign a certificate as specified below in token of acceptance of these statutes.

The Zonal Deputy Director of Collegiate Education concerned shall issue to each teacher who is eligible to join the Fund two certificates signed by him, one to the effect that he or she is eligible to join the Fund and another to the following effect:—

“On.....’s retirement or withdrawal from the fund for reasonable cause, the amount at his or her credit may, subject to the conditions laid down in these statutes, be increased by a grant from the Government equivalent to one-half of such amount as may be fixed under these statutes”. Such certificates shall be attached to the Savings Bank Pass Books to be issued on behalf of the subscribers as laid down in Statute 34. The teacher shall subscribe to the Provident Fund with effect from the beginning of the month in which the certificates are issued; the Zonal Deputy Director of Collegiate Education concerned shall maintain a card catalogue register in Form 2 showing the names of the subscribers who have been admitted to the Fund and for whom the certificates have been issued by him.

**31. Nomination.**—(1) A subscriber shall, along with his application for admission to the Fund, furnish a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death before the amount has become payable, or having become payable, has not been paid:

Provided that if, at the time of making nomination, the subscriber has a family, the nomination shall not be in favour of any person or persons other than the members of his family.

(2) If a subscriber nominates more than one person under clause (1), he shall specify in the nomination, the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) A subscriber may at any time cancel a nomination by sending a notice in writing to the Zonal Deputy Director of Collegiate Education concerned through the Principal.

Provided that the subscriber shall along with such notice, send a fresh nomination made in accordance with the provisions of this Statute.

*Explanation.*—The Subscriber shall furnish the nomination and the cancellation notice in duplicate. One copy of such nomination or cancellation shall be forwarded to the Treasury Officer for safe custody.

(4) A subscriber may provide in a nomination:—

(a) in respect of any specified nominee, that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass on to such other person as may be specified in the nomination;



(b) that the nomination shall become invalid on the happening of a contingency specified therein:

Provided that if at the time of making the nomination, the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family.

(5) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under sub-clause (a) or clause (4) or the proviso to that clause, the subscriber shall send to the Zonal Deputy Director of Collegiate Education concerned through the Principal a notice in writing cancelling the nomination together with a fresh nomination made in accordance with the provisions of this Statute.

(6) Every nomination made and every notice of cancellation given by a subscriber, shall, to the extent that it is valid, take effect on the date on which it is received by the Zonal Deputy Director of Collegiate Education concerned.

32. *Rate of subscription.*—(1) Every subscriber shall subscribe to the Fund at the rate of six paise per rupee per mensem on the pay drawn by him during a financial year till the date on which he retires or attains the 55th year of age whichever is earlier. Fractions of a rupee in the pay shall be ignored. The amount of subscription shall be expressed in whole rupees, fifty paise and above counting as next higher rupee.

(2) When a subscriber is temporarily on reduced pay on account of absence on leave or for other cause his subscription shall be reckoned on the amount of such reduced pay actually paid to him. It shall also be open to the subscriber to cease making payments during such period of absence after giving intimation to the Zonal Deputy Director of Collegiate Education concerned. No subscription shall be payable for periods of suspension. If, however, the subscriber is reinstated and allowed to draw pay for the period of suspension, subscription shall be reduced from the pay paid to him for the period.

(3) Voluntary subscriptions in excess of the prescribed amount, i.e., at 6 paise in the rupee shall not be admissible. If any such subscriptions have been made, the same shall be withdrawn.

33. *Contribution by Government.*—(1) The Government shall contribute in respect of each subscriber at the rate of 3 paise per rupee on the pay drawn by such subscriber during a financial year.

(2) Clause (2) of Statute 32 shall apply in the case of Government contribution also.

(3) The Government contribution shall cease from the date on which the teacher retires or attains the 55th year of age, whichever is earlier.

(4) The Government contribution shall take the form of a single lump sum payment at the time the subscriber retires or for other accepted reasons the account is closed equivalent to half the amount standing at his

credit (excluding amounts of interest credited) on the date of his completion of 55 years of age or of closure of the account if earlier, as the case may be. In the case of teachers who had been subscribing to any of the earlier provident funds and who have been admitted to this Fund, the Government contribution will however be calculated only on that portion of the amount at the credit of the subscriber which represents his subscriptions after the transfer of his balance under his earlier provident fund as provided for in Statute 29. If any advance from the Fund has been withdrawn, the amount of any balance still outstanding and the total amount withdrawn towards the payment of Insurance Premia shall be added to the total amount at his credit for the purpose of calculating the Government contribution:

Provided that in the case of subscribers who fall under this Chapter by option, the amount to be so added shall not exceed the amount subscribed after admission to the fund.

34. *Management of the Fund.*—(1) The Fund shall be managed in accordance with the Savings Bank system in the State Government Treasuries. The teachers subscription shall be deposited in a Savings Bank Account in the Treasury from which the pay of the college staff is drawn. The procedure specified in the following clauses shall be adopted for the purpose.

(2) The Treasury shall open an individual account for each subscriber to the Provident Fund. The pass books will be kept by the Principal of the College under safe custody. The Principal shall deduct the subscription to the fund due from the teachers from their salaries at the time of disbursement of the same each month and shall remit the amounts collected within seven days of collection for credit in the Treasury Savings Bank Accounts and accompanied by—

- (i) the Savings Bank Pass Books of the subscriber; and
- (ii) a list in Form 3 showing in detail the amount to be credited to each account and the total amount of the deposits, and refunds.

(3) The money received in the treasury shall be credited to the different accounts in accordance with the entries in the list and the Treasury Officer after satisfying himself that this has been done and that the amount of the deposit has been correctly entered in each pass book, shall sign the list, stamp it with the treasury stamp and return it with the pass books to the Principal from whom they were received. The Principal shall compare the entries made in the pass book with the entries in the list to see that the former is correct. Any error that may be detected shall be brought at once to the notice of the Treasury Officer, and got rectified.

(4) So far as the treasury is concerned, the list need not be in duplicate as the deposits shall be entered in the usual course in the Treasury Savings Bank Ledger and Journals which will furnish a complete record of the transactions. The Principal of the college shall furnish a true copy of the list to the Zonal Deputy Director of Collegiate Education concerned

within five days of the receipt of the verified list from the Treasury. The Inspecting Officers during their periodical visits to the colleges shall audit the monthly list of payments into the Savings Bank accounts with reference to the original pay bills and acquittance rolls and satisfy themselves that subscriptions are not received in excess from the teachers. If in the course of such audit, it is found that payments have been made into the Savings Bank either in excess of the prescribed rate or in advance of the due date, the Zonal Deputy Director of Collegiate Education concerned shall sanction the withdrawal of the excess amount from the Savings Bank with a view to its being refunded to the subscriber. Inspecting Officer other than the Zonal Deputy Director of Collegiate Education who detects cases of this kind should bring them immediately to the notice of the Zonal Deputy Director of Collegiate Education concerned. If the subscriptions have not been remitted for any period during which a subscriber was employed in a college, the Zonal Deputy Director of Collegiate Education concerned may condone such irregularities at any time for satisfactory reasons. The Zonal Deputy Director of Collegiate Education may also condone belated remittance of subscriptions.

(5) When a pass book opened on behalf of a subscriber has been fully used, the Principal shall obtain an application in writing from the subscriber for the return of the used up pass book and forward it to the Treasury Officer at the time when a fresh pass book is to be issued in continuation of one used up. On receipt of the used up pass book from a Treasury Officer, the Principal shall send it to the Zonal Deputy Director of Collegiate Education concerned for safe custody.

(6) When a subscriber leaves one college and seeks employment in another, the Zonal Deputy Director of Collegiate Education having jurisdiction over the area in which the former College is located shall be competent to sanction the transfer of his account to the treasury at which the accounts of the college which he has joined stand. The Zonal Deputy Director of Collegiate Education shall maintain a register in Form 4 of the transfer of accounts sanctioned by him. The Principal shall furnish every subscriber who leaves the college with a certificate which should bear the counter-signature of the Zonal Deputy Director of Collegiate Education specifying the period for which subscriptions to the Fund were made by the subscriber.

*Note:*—In every case of transfer under this Statute, the Zonal Deputy Director of Collegiate Education shall examine at the time of transfer, the title of the subscriber to the Government contribution and record in the order sanctioning the transfer, his opinion as to whether the subscriber is entitled to it.

(7) Subscribers to the Fund taking up service in any institution other than a private college, shall cease to be subscribers and steps shall be taken to close their accounts.



within five days of the receipt of the verified list from the Treasury. The Inspecting Officers during their periodical visits to the colleges shall audit the monthly list of payments into the Savings Bank accounts with reference to the original pay bills and acquittance rolls and satisfy themselves that subscriptions are not received in excess from the teachers. If in the course of such audit, it is found that payments have been made into the Savings Bank either in excess of the prescribed rate or in advance of the due date, the Zonal Deputy Director of Collegiate Education concerned shall sanction the withdrawal of the excess amount from the Savings Bank with a view to its being refunded to the subscriber. Inspecting Officer other than the Zonal Deputy Director of Collegiate Education who detects cases of this kind should bring them immediately to the notice of the Zonal Deputy Director of Collegiate Education concerned. If the subscriptions have not been remitted for any period during which a subscriber was employed in a college, the Zonal Deputy Director of Collegiate Education concerned may condone such irregularities at any time for satisfactory reasons. The Zonal Deputy Director of Collegiate Education may also condone belated remittance of subscriptions.

(5) When a pass book opened on behalf of a subscriber has been fully used, the Principal shall obtain an application in writing from the subscriber for the return of the used up pass book and forward it to the Treasury Officer at the time when a fresh pass book is to be issued in continuation of one used up. On receipt of the used up pass book from a Treasury Officer, the Principal shall send it to the Zonal Deputy Director of Collegiate Education concerned for safe custody.

(6) When a subscriber leaves one college and seeks employment in another, the Zonal Deputy Director of Collegiate Education having jurisdiction over the area in which the former College is located shall be competent to sanction the transfer of his account to the treasury at which the accounts of the college which he has joined stand. The Zonal Deputy Director of Collegiate Education shall maintain a register in Form 4 of the transfer of accounts sanctioned by him. The Principal shall furnish every subscriber who leaves the college with a certificate which should bear the counter-signature of the Zonal Deputy Director of Collegiate Education specifying the period for which subscriptions to the Fund were made by the subscriber.

*Note:*—In every case of transfer under this Statute, the Zonal Deputy Director of Collegiate Education shall examine at the time of transfer, the title of the subscriber to the Government contribution and record in the order sanctioning the transfer; his opinion as to whether the subscriber is entitled to it.

(7) Subscribers to the Fund taking up service in any institution other than a private college, shall cease to be subscribers and steps shall be taken to close their accounts.



(8) When a subscriber's account is to be closed, he shall submit an application to the Zonal Deputy Director of Collegiate Education concerned through the Principal giving his reasons therefor. If the Zonal Deputy Director of Collegiate Education is satisfied with the reasons, he shall sanction the closure of the account and issue a certificate to the Treasury Officer and the Principal to the effect that the subscriber has quitted the Fund in the circumstances which give him a title to the Government contribution. The Treasury Officer shall thereupon close the account in the Savings Bank Pass Book and on receipt of an application for withdrawal signed by the subscriber countersigned by the Principal, pay the total amount to his credit to the Principal or his authorised agent. Immediately after the money in the Savings bank is withdrawn, the Principal shall report the date of the closure to the Zonal Deputy Director of Collegiate Education concerned and the latter shall take steps to get from the treasury the closed pass books for preparing the bill for Government contribution. The Principal, shall after receiving the amount from the Treasury, disburse it to the subscriber concerned on obtaining a payee's receipt which shall be forwarded to the Accountant General through the Zonal Deputy Director of Collegiate Education concerned. The Zonal Deputy Director of Collegiate Education concerned, shall maintain a register in Form 5 of closure of accounts sanctioned by him.

(9) Every subscriber shall, once in every financial year, be permitted to look into his account, satisfy himself as to its correctness and sign a certificate in token of his acceptance of it. The certificates obtained under this Statute shall be forwarded to the Zonal Deputy Director of Collegiate Education concerned before the end of the financial year for check and record in his office.

35. *Control of the Fund.*—(1) The control of the Fund in each Zone shall vest with the Zonal Deputy Director of Collegiate Education of that zone.

(2) If the monthly subscription is not paid into the Savings Bank Account within seven days of the date on which the salary is allotted or the verified treasury list is not forwarded by the Principal to the Zonal Deputy Director of Collegiate Education as provided for in Statute 34 the pay bill of the Principal for the month shall not be passed by the Zonal Deputy Director of Collegiate Education without the prior sanction of the Director of Collegiate Education who shall take such steps as may be necessary in the matter.

(3) No withdrawal of any part of the deposit or payment of any Government contribution shall be allowed without the sanction of the Zonal Deputy Director of Collegiate Education concerned.

36. *Interest.*—Interest shall be allowed at such rate as may from time to time be admissible for deposits in Treasury Savings Bank.

37. *Withdrawals from Fund.*—(1) Withdrawal of advances from the Fund shall be sanctioned by the Zonal Deputy Director of Collegiate Education concerned for satisfactory reasons such as to pay expenses in connection with the illness of a subscriber or a member of his family to pay expenses in connection with the marriages, funerals or ceremonies which it is incumbent upon the subscriber to perform. Such advances shall be permitted only when the deposit to the credit of the subscriber exceeds six months' pay of the subscriber. The amount of the advance sanctioned at any time shall not exceed three months' pay of the subscriber. Withdrawal of advances from the Fund shall be in whole rupees. Advances from the Fund shall be repaid in not more than 24 equal monthly instalments but no recovery shall be made from a subscriber while he is on leave of any kind.

*Explanation:*—Though, ordinarily, advances from the Fund are permissible only when the deposit to the credit of the subscriber exceeds six months' pay, this condition may be relaxed in special cases of hardship where the amount to the credit of the subscriber is a little less than six months' pay and advances in such cases may be sanctioned by the Zonal Deputy Director of Collegiate Education concerned.

*Note:*—An advance is permissible to meet the expenses on account of "confinement" (1) in cases necessitating prolonged medical attention, prolonged stay in a hospital or protracted treatment and (2) in other circumstances involving expenditure disproportionate to the subscriber's income.

(2) The Zonal Deputy Director of Collegiate Education concerned shall maintain a register in Form 6 of advances sanctioned by him. No fresh advance from the Fund shall be sanctioned if there is any balance still to be refunded out of any advance already drawn from the Fund or twelve months have not elapsed since repayment of the previous advance.

(3) A subscriber shall also be at liberty to refund the advance drawn by him in a shorter period than that prescribed by the Zonal Deputy Director of Collegiate Education, if he chooses to do so.

(4) Withdrawal of any advance sanctioned shall be made on an application signed by the subscriber and countersigned by the Principal and endorsed in favour of a person proposed by the Zonal Deputy Director of Collegiate Education concerned with the sanction, in original. The Principal shall, after receiving the money, disburse it to the subscriber concerned on acquittance rolls.

38. *Withdrawal from the Fund towards payment of premia for Life Insurance Policies.*—(1) Withdrawal from the Fund is also permissible to meet the payment towards premia for policy of Life Insurance. Such withdrawal shall be permitted only when the amount to be withdrawn does not exceed the subscriber's own subscription and when the payment of premia to the Policy is annual.

(2) (a) No amount shall be withdrawn before the details of the proposed policy, or the policy actually taken by the subscriber, as the case may be, has been furnished to the Zonal Deputy Director of Collegiate Education concerned and accepted by him as suitable and an intimation to that effect is received from him. A policy to be acceptable shall be one effected by the subscriber on his own life and shall, unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of his wife and children or any of them be such as may be legally assigned by the subscriber to the Government.

(b) The policy shall be assigned in favour of Government in Form 7 and shall be submitted to the Zonal Deputy Director of Collegiate Education concerned for safe custody. Notice of assignment of the Policy shall be given by the subscriber to the Life Insurance Corporation and the acknowledgement of the notice by the Life Insurance Corporation shall be sent to the Zonal Deputy Director of Collegiate Education concerned within three months of the date of assignment, or within three months after the first withdrawal from the fund in respect of the policy or such other period as may be considered necessary by the Zonal Deputy Director of Collegiate Education.

(c) The amount to be withdrawn shall not exceed the amount required to meet the payment of premia and it shall be rounded to the nearest rupee.

(d) The Government will not make any payment on behalf of the subscribers to the Life Insurance Corporation or take steps to keep a policy alive.

(e) The subscriber shall not during the currency of the policy, draw any bonus the drawal of which during such currency is optional under the terms of the policy, and the amount of any bonus which under the terms of the policy, the subscriber has no option to refrain from drawing during its currency, shall be paid forthwith into the Fund by the subscriber or in case of default, be ordered by the Zonal Deputy Director of Collegiate Education concerned to be recovered by deduction from the emoluments of subscriber by instalments or otherwise, as may be directed by the Zonal Deputy Director of Collegiate Education.

(3) (a) A subscriber who desires to withdraw from the Fund to meet payment towards insurance premia shall address the Zonal Deputy Director of Collegiate Education concerned through his Principal at least 30 days in advance of the due date with an application in Form 8 and enclosing the premium notice. The Savings Bank Pass Book shall be forwarded by the Principal along with the application, to the Zonal Deputy Director of Collegiate Education.

*Note:*—The subscribers may also be permitted to withdraw from the Fund for the payment of the first premium on production of the acceptance letter issued by the Life Insurance Corporation and also on receipt



of a letter from the subscriber that the policy will be assigned to Government, as soon as it is issued by the Life Insurance Corporation. The Subscriber shall address the Zonal Deputy Director of Collegiate Education concerned through the Principal with an application in Form 8. The proposal number may be noted in the place of policy number against item 3 of the application.

(b) The Zonal Deputy Director of Collegiate Education concerned shall, on receipt of the application, order the sanction of the withdrawal of the amount applied for and the principal shall draw the amount from the Treasury and disburse the same to the subscriber, as in the case of sanction and payment of temporary advance from the Fund.

(c) Immediately after the payment of the premia or in any case within thirty days from the date of withdrawal of the amount, the subscriber shall produce the premium receipt issued by the Life Insurance Corporation to the Zonal Deputy Director of Collegiate Education concerned through the Principal.

(d) The Zonal Deputy Director of Collegiate Education, shall after the scrutiny of the premium receipt, return the same to the subscriber through the principal with an endorsement "scrutinised and returned"—No abatement of income tax" after making a note in the Register maintained in his office for the purpose in Form 9.

(4) If the policy is not assigned and submitted to the Zonal Deputy Director of Collegiate Education within the said period of three months or such further period as the Zonal Deputy Director of Collegiate Education may, under sub-clause (b) of clause (2) have fixed, any amount withdrawn from the Fund in respect of the policy shall forthwith be paid by the subscriber to the Fund or in case of default be ordered by the Zonal Deputy Director of Collegiate Education to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise.

If a policy assigned to Government under these Statutes matures, the Zonal Deputy Director of Collegiate Education shall re-assign the policy in favour of the subscriber who shall immediately on receipt of the policy moneys from the Life Insurance Corporation repay to the Fund the whole or any amount withdrawn with interest and in case of default the provisions of clause (4) above applicable to a failure to assign and deliver a policy shall apply.

(5) When the subscriber quits the service and applies to the Zonal Deputy Director of Collegiate Education for re-assignment or return of the policy, the Zonal Deputy Director of Collegiate Education shall re-assign the policy in Form 10 in favour of the subscriber together with a signed notice of re-assignment addressed to the Life Insurance Corporation.

39. *Withdrawal of deposits.*—(1) Withdrawals will be permitted on the death or retirement or for any other special reasons accepted by the Director of Collegiate Education as satisfactory.



(2) A subscriber who resigns his post before the end of the tenth year from the date of admission to the Fund and applies for closure of his account shall be entitled only to the subscriptions made by him with interest thereon but in exceptional cases with the sanction of the Government for reasons which shall be recorded in writing, he may also be paid the Government contribution.

(3) If a subscriber is disabled or becomes invalid otherwise than by his own fault, he shall receive all the deposits to his credit at whatever stage of service he is disabled or becomes invalid and he may also with the sanction of the Zonal Deputy Director of Collegiate Education concerned receive the Government contribution. When a subscriber is incapacitated by his own fault he shall receive only his own subscription with interest thereon.

(4) If a subscriber—

(a) is dismissed or removed from service; or

(b) tenders his resignation to avoid such dismissal or removal; or

(c) quits his employment after having been convicted of an offence involving moral turpitude, the Government contribution is to be withheld and such a subscriber shall receive only his own subscription with interest thereon, but in exceptional cases with the sanction of the Government for reasons which shall be recorded in writing, he may also be paid the Government contribution.

(5) If the services of a subscriber are dispensed with for no fault of his own he shall receive all the subscriptions to his credit and also, with the sanction of the Zonal Deputy Director of Collegiate Education concerned, the Government contribution; or if he seeks re-employment may continue to participate in the scheme without subscription until the date of re-employment.

(6) If a subscriber at whatever stage of his service takes up employment in a Government college his account shall be closed and he shall be given all subscriptions to his credit together with the Government contribution provided there is no reasonable chance of his reverting to any private college.

40. *Payment of Government Contribution.*—(1) On a subscriber quitting his employment in the circumstances which gives him a claim to the Government contribution, such claim shall be preferred to the Accountant-General by the Zonal Deputy Director of Collegiate Education concerned. Necessary application for the payment of the Government contribution shall be made by the Principal of the college from which the subscriber quitted the Fund to the Zonal Deputy Director of Collegiate Education concerned accompanied by a bill in Form 11 for the amount due drawn up and signed by the principal, the subscriber's pass book, the certificate of his eligibility to join the Fund granted to him by the Zonal Deputy Director of Collegiate Education at the time of his admission and a certificate to the

effect that no amounts in excess of the authorised subscription by the subscriber have been deposited and that the subscriber quitted the service in the circumstances which give him a claim to the Government contribution under these Statutes. The application for Government contribution shall be supported also by the subscriber's application for admission containing the declaration in Form 1 and all relevant correspondence showing that the amount in the savings Bank account has been disbursed to the proper person/ or persons. If any balance of advance drawn by the subscriber from the Fund has not been repaid, the amount of such balance also shall be certified. The total amount withdrawn towards payment of insurances premia shall also be furnished in a statement and certified. The bill drawn by the Principal shall, after scrutiny, be countersigned by the Zonal Deputy Director of Collegiate Education concerned. The Accountant General shall pass one half of the total at the credit in the Savings Bank (excluding interest credited) plus any balance of advance plus amounts withdrawn for payment of insurance premia as provided in Statute 33 as the Government contribution and this pass order will be given on the bill itself. The amount shall thereafter be drawn by the Principal and disbursed to the subscriber. The acknowledgements of the payees in support of the disbursement of the Government contribution drawn by the Principal shall be forwarded to the Accountant General immediately after the disbursements have been made. The Pass Books received by the Accountant General, the used up pass books and the closed pass books shall be finally retained by the Accountant General after cancellation.

*Note:—*Should the Savings Bank Pass Book be accidentally lost, a copy of the ledger entries relating to the book duly authenticated by the Treasury Officer may be accepted in place of the lost pass book. An explanation of the circumstances under which the pass book was lost, should also be furnished to the Accountant General.

(2) In the event of death of the subscriber while his Fund account is open, the total amount standing to his credit in the Fund as well as the Government contribution due to him shall be drawn by the Principal and shall be payable by him as follows:—

(a) If the subscriber has survivors in any one or more of the following categories:—

- (i) widow or widows,
- (ii) minor sons, and
- (iii) unmarried daughters and in their absence;
- (iv) widow or widows and children of a deceased son; the amount shall be paid to such one or more of them in such proportions as may be specified in the nomination or if no such nomination has been left by the subscriber (i.e., if the nomination purports to leave the amount to any one other than one or more of the surviving relations referred to in item (i) to (iv) above or if no nomination in accordance with these Statutes is subsisting at the time of the

death of the subscriber) the amount or such portion thereof as has not been left to any one or more of the relations referred to in items (i) to (iv) above shall be divided in equal shares among—

- (i) the widow or widows, minor sons and unmarried daughters and in their absence among the widow or widows and children of a deceased son;
- (ii) in the absence of all such relations, among the major sons and married daughters.

(b) If the subscriber has no survivors in any of the categories mentioned in sub-clause (a) of clause (2), the amount shall be paid to the person or persons specified in the nomination in such proportions as may be specified therein, or if no nomination is subsisting at the time of the death of the subscriber or if the nomination subsisting at such time does not cover the entire amount, the amount or such portion thereof as is not covered by the nomination, shall be paid to the subscribers legal representatives or such other persons or persons as may be determined by a Civil Court competent to pass orders in this respect, provided that if the total sum at the credit of the subscriber including the Government contribution does not exceed Rs. 500 it may be paid to such person or persons as the Zonal Deputy Director of Collegiate Education concerned considers on production of an indemnity bond or heirship certificate to be the proper person or persons to receive it. Government will not be bound by, or recognise any assignment or encumbrance executed or attempted to be created which effects the disposal of the accumulations of a subscriber who dies before retirement.

(3) If a husband has made a written application under sub-clause (b) of clause (1) of statute 27 for the exclusion of his wife from taking a share on the ground that she has been judicially separated from him or has ceased under the customary law of the community to which she belonged to be entitled to maintenance, the amount shall be distributed under the said clause as if the widow did not exist and the nomination, if any, made by the subscriber shall be deemed to have been modified accordingly. In the absence of such an application, the widow shall retain her rights under that clause.

(4) The deposits made and the Government contributions payable under this scheme are not attachable under any decree or order of any Civil, Revenue or Criminal Court.

*Explanation.*—This statute shall apply mutatis-mutandis to women subscriber also.

41. *Registers to be kept by the Principals.*—The undermentioned register shall be maintained by the Principals—

(1) A card catalogue register in Form 2 showing the names of the subscribers to the Fund.



(2) A register in Form 6 showing advances sanctioned from the Fund and their refunds.

(3) A register in Form 4 showing the transfer of accounts sanctioned by the Zonal Deputy Director of Collegiate Education concerned of subscribers who have left the college and the certificates issued to them of the amounts subscribed by them to the Fund.

(4) A register in Form 5 showing the names of the subscribers whose accounts have been closed and the Government contribution paid to them on their leaving the Fund.

42. *Contribution in cases of provision of pay and allowances with retrospective effect.*—Notwithstanding anything contained in this chapter, the Government may by order direct that the whole or any part of the arrears of pay and allowances or both payable to subscribers under a scheme of revision of pay or allowances or both implemented with retrospective effect shall be credited to the Fund and every subscriber to whom such order applies, shall comply with it. The Government shall not be liable to pay any contribution in respect of this deposit.

## CHAPTER V

### Kerala Private College Teachers Provident Fund

43. *Application of Chapter.*—The provisions of this Chapter shall apply to all teachers in Private Colleges (including those in Engineering College and Private training colleges) over which the jurisdiction of the Calicut University extends and who opt to be governed by the provisions of Chapter II.

44. *Definitions.*—In this Chapter, unless the context otherwise requires—

(a) “Account Officer” means such officer as the Government may appoint in this behalf to keep the accounts of the provident fund of teachers in private colleges;

(b) “Emoluments” means pay, leave salary or subsistence allowance as defined in the Kerala Service Rules payable to a subscriber for the period concerned and includes dearness pay, if any.

(c) “family” means,—

(1) In the case of a male subscriber, the wife or wives and children of the subscriber and the widow or widows and children of a deceased son of the subscriber;

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to

which these statutes relate, unless the subscriber subsequently indicates by express notice in writing to the Account Officer that she shall continue to be so regarded, and

(2) in the case of a female subscriber, the husband and children of the subscriber, and the widow or widows and children of a deceased son of the subscriber:

Provided that if a subscriber by notice in writing to the Account Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these statutes relate, unless the subscriber subsequently cancels formally in writing her notice excluding him.

*Note 1:* "Children" means legitimate children.

*Note 2:* An adopted child shall be considered to be a child when the Account Officer or if any doubt arises in the mind of the Account Officer the Advocate General is satisfied that under the personal law of the subscriber, adoption is legally recognised as conferring the status of a natural child but in that case only.

*Note 3:* A child of one person given in adoption to another shall not be considered to be the child of the former, if the Account Officer or if any doubt arises in the mind of the Account Officer, the Advocate General is satisfied that under the personal law of the persons concerned such adoption is legally recognised and in that case only.

(d) "Fund" means the Kerala Private College Teachers Provident Fund.

(e) "leave" means any kind of leave recognised by the leave rules applicable to the subscriber concerned.

(f) "Subscriber" means a teacher who subscribes to the Fund.

(g) "Subscription" means the amount subscribed to the Fund monthly by a teacher.

(h) "Year" means the financial year.

(2) Any other expression used and not defined in this chapter but defined in the Calicut University Act, 1975 (5 of 1975) or in the Provident Funds Act, 1925 (Central Act XIX of 1925) or in the Kerala Service Rules shall have the meaning respectively assigned to it in the said Acts or rules, as the case may be.

45. *Constitution of Provident Fund.*—(1) There shall be a Fund called "the Kerala Private College Teachers Provident Fund" and the Fund shall be maintained in rupees.

(2) The Fund shall be non-contributory. Neither the Government nor the University nor the Educational Agency shall contribute to it.

46. *Teachers who shall contribute to the Fund.*—It shall be compulsory for the following categories of teachers of private colleges, to subscribe to the Fund:—

(i) teachers who, on the date of commencement of these Statutes, are subscribers to the provident Fund as per Chapter LI of the First Statutes issued under the Kerala University Act, 1969 (9 of 1969) and entered service before 1-4-1958 and opt to be governed by the provisions of Chapter II;

(ii) teachers who, on the date of commencement of these Statutes, are subscribers to the provident Fund as per Chapter L I of the First Statutes issued under the Kerala University Act, 1969 (9 of 1969) or under any rules or orders in force in the University area and entered service on or after 1-4-1958, with a continuous service of not less than one year.

(iii) all members of the teaching staff appointed on or after the commencement of these Statutes, who have completed one year's continuous service. But teachers coming under the category referred to in Statute 49 shall join the fund forthwith.

*Explanation 1.*—In the case of teachers who belong to a religious order which imposes vows of poverty on its members, the Account Officer, may on request in writing being made by the teacher in that behalf, exempt such teacher from joining the Fund.

*Explanation 2.*—The teachers whose appointments have not been approved by the Syndicate or by such authority as the Syndicate may in that behalf specify shall not be required to join the Fund.

*Explanation 3.*—Part time teachers shall not be eligible to join the fund.

47. *Transfer of existing provident Fund.*—(1) Subject to the provisions of Statute 46, in the case of subscribers to any of the existing provident Funds who come under these Statutes, the amount of their subscription in the account shall be transferred to the new Fund to be constituted under this Chapter.

(2) The Manager's and University's contributions together with interest thereon if any accrued shall be credited to the Government. There shall be no Government contribution to the teachers accounts under the provident Fund.

48. *Bar to subscribe to other Funds.*—No teacher who has been required to subscribe to the Fund referred to in Statute 45 shall be allowed to subscribe to any other existing provident Fund.

49. *Subscriber's of General Provident Fund Kerala joining private colleges.*—When a subscriber to General Provident Fund (Kerala) quits Government service to take up appointment in a private college, the balance at his credit in the General Provident Fund (Kerala) shall be transferred to the Kerala Private College Teachers Provident Fund.

50. *Conditions for subscription.*—(1) A subscriber shall subscribe monthly to the Fund, except during the period of suspension:



Provided that a subscriber, may at his option, not subscribe during leave which either does not carry any leave salary or carries leave salary, equal to or less than half pay:

Provided further that a subscriber undergoing any course shall not except with his consent, be required to subscribe to the Fund during the period of such course:

Provided also that a subscriber may at any time during the last one year of service immediately preceding the date of his retirement elect not to subscribe to the Fund:

Provided also that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in a lump or instalments, any sum not exceeding the maximum amount of arrear subscriptions permissible for that period.

(2) The subscriber shall intimate his election not to subscribe during the leave referred to in the first proviso to clause (1) and during the last one year of service immediately preceding the date of his retirement referred to in the third proviso to clause (1), in the following manner:—

(a) By giving an option statement (in duplicate) not to subscribe to the fund to the Principal before he proceeds on leave or after electing not to subscribe to the fund in accordance with the third proviso to clause (1). The principal shall forward one copy of the statement to the Zonal Deputy Director of Collegiate Education concerned who shall in turn forward the statement duly countersigned to the Account Officer.

(b) Failure to make due and timely intimation shall be deemed to constitute an election to subscribe.

(c) The option of a subscriber shall be final.

51. *Rate of subscription.*—(1) The amount of subscription shall be fixed by the subscriber himself, subject to the following conditions, namely:—

(a) The amount shall be expressed in whole rupees; and

(b) The amount shall be any sum so expressed which shall not be less than 6 per cent of his emoluments and if 6 per cent of his emoluments represents a sum not expressible in whole rupees the fraction of a rupee shall be rounded to the nearest whole rupee 50 paise or more being counted as the next higher rupee.

(2) For the purpose of clause (1) the emoluments of the subscriber shall be as follows:—

(a) in the case of a subscriber who was in service on the 31st March of the preceding year, the emoluments to which he was entitled on that date:

Provided that—

(i) if the subscriber was on leave on the said date and elected not to subscribe during such leave, or was under suspension on the said date,

his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;

(ii) if the subscriber was on deputation outside the State on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave his emoluments shall be the emoluments to which he would have been entitled had he been on duty in the State or had he not been on leave,

(b) in the case of a subscriber who was not in service on the 31st March of the preceding year, the emoluments to which he was entitled on the day he joins the Fund.

(3) The subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner:—

(a) If he was on duty on the 31st March of the preceding year, by the deduction which he makes in this behalf from his pay bill for that month;

(b) if he was on leave on the 31st March of the preceding year and elected not to subscribe during such leave or was under suspension on that date by the deduction which he makes in this behalf from his first pay bill after his return to duty;

(c) if during the year in which he has entered service for the first time or joins the fund for the first time, by the deduction which he makes in this behalf, from his pay bill for the month during which he joins the fund;

(d) if he was on leave on the 31st March of the preceding year and continues to be on leave and has elected to subscribe during such leave, by the deduction which he causes to be made in this behalf from his salary bill for that month;

(e) if he was on foreign service on the 31st March of the preceding year, by the amount credited by him into the treasury on account of subscription for the month of April in the current year.

(4) The amount of subscription so fixed shall remain unchanged throughout the year:

Provided that the amount of subscription may be enhanced once at any time during the course of a year.

52. *Realisation of subscription.*—Subscriptions shall be recovered by deductions from pay bills of teachers for each month and the Principal of each college shall be personally responsible for watching the recovery. But a subscriber who is on foreign service or on leave or on deputation outside the State may remit his subscription either in cash, through a treasury or by means of demand drafts. The chalan in the case of cash remittance to the Treasury or the demand draft shall be sent to the Account Officer together with a schedule showing the details of the remittance.

*Note 1:*—The Principals are responsible for seeing that the deductions on account of subscription to the provident Fund are duly made while drawing and disbursing the salary bills of the subscriber (including principals) who work in the private college. Omission to realise the subscription shall be deemed to be dereliction of duty on their part.

*Note 2:*—The Principals shall maintain a list of provident Fund subscribers whose pay is drawn by them and ensure that the correct provident fund number and the name of each subscriber is noted in the Provident Fund schedule attached to the monthly pay bills.

53. *Consequences of failure to subscribe.*—If an officer fails to subscribe with effect from the date on which he is required to subscribe to the Fund, the total amount due to the Fund on account of arrears of subscription shall forthwith be paid by the subscriber to the Fund or in default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber in instalments or in such other manner as the Principal of the college may determine.

54. *Procedure for joining the fund.*—(1) The Principal of every private college shall send to the Zonal Deputy Director of Collegiate Education on the 15th of each month, a statement in triplicate in Form A showing particulars of teachers working in the college who have to compulsorily subscribe to the provident Fund. The Statement should be sent three months in advance of the date from which the teachers are required to subscribe.

(2) If the Zonal Deputy Director on examination of the application under clause (1) finds it in order he shall immediately forward the application along with its enclosures to the Account Officer who shall after due process return one copy to the Zonal Deputy Director of Collegiate Education after allotting an account number which shall be noted in the relevant column of the application.

(3) The Zonal Deputy Director of Collegiate Education, on receipt of the admitted copy of the application from the Account Officer, return it to the Principal of the College concerned with instructions to keep it along with the service records of the teacher concerned and effect recovery of subscriptions regularly in accordance with the provisions of these Statutes.

55. *Nomination.*—(1) An applicant, shall, at the time of joining the fund send to the Account Officer a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund in the event of his death before the amount has become payable or having become payable, has not been paid:

Provided that if, at the time of making nomination the subscriber has a family, the nomination shall not be in favour of any person or persons other than any member or members of his family.



(2) If a subscriber nominates more than one person under clause (1), he shall specify in the nomination the amount of share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) Every nomination shall be in the form prescribed in the First Schedule.

(4) A subscriber, may, at any time cancel a nomination by sending a notice in writing to the Account Officer through the Principal of the College:

Provided that the subscriber shall, along with such notice send a fresh nomination made in accordance with the provisions of these Statutes.

(5) A subscriber may provide in a nomination.—

(a) in respect of any specified nominees that in the event of his pre-deceasing the subscriber, the right conferred upon that nominee shall pass on to such other person as may be specified in the nomination:

Provided that such other person or persons shall, if the subscriber has other members of his family, be such other member or members:

Provided further that where the subscriber confers such a right on more than one person under this clause, he shall specify the amount of share payable to each of such persons in such manner as to cover the whole of the amount payable to the nominee;

(b) that the nomination shall become invalid in the event of the happening of a contingency, specified therein:

Provided that if at the time of making the nomination the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family:

Provided further that, if at the time of making the nomination the subscriber has only one member in the family, he shall provide in the nomination that the right conferred on the alternate nominee under sub-clause (a) shall become invalid in the event of his subsequently acquiring other member or members in his family:

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under sub-clause (a) of clause(5) or on the occurrence of any event by which nomination becomes invalid in pursuance of sub clause (b) of clause(5) the subscriber shall send to the Account Officer a notice in writing cancelling the nomination, together with a fresh nomination made in accordance with the provisions of these Statutes.

(7) Every nomination made, and every notice of cancellation given by a subscriber shall, to the extent that it is valid take effect from the date on which it is received by the Account Officer,

(8) Nominations made in respect of the several accounts under the existing funds in accordance with the Statutes or rules governing them shall be treated as nomination made under these Statutes, subject to the condition that they are not inconsistent with the Statutes in this Chapter.

*Explanation:*—In this Statute, unless the context otherwise requires the term "person" or "Persons" shall include a company or institution or association or body of individuals.

56. *Subscriber's account:*—An account shall be prepared in the name of each subscriber and it shall show the amount of his subscriptions with interest thereon as prescribed in Statute 58 as well as advances and withdrawals from the Fund.

57. *Procedure in certain contingencies:*—When a subscriber is transferred to foreign service or sent on deputation outside the State he shall continue to be governed by the provisions of these Statutes in regard to provident fund as if he were not so transferred or sent on deputation.

58. *Interest:*—(1) Subject to the provisions of sub-clause (5), interest at such rate as may be fixed by the Government, subject to a minimum of 4 percent per annum shall be annually credited by the Government to the account of each subscriber:—

(2) Interest shall be credited with effect from the last day in each year in the following manner.

(a) on the amount at the credit of a subscriber on the last day of the preceding year, less any sum withdrawn during the current year—interest for twelve months;

(b) on sums withdrawn during the current year—interest from the beginning of the current year upto the last day of the month preceding the month of withdrawal;

(c) on all sums credited to the subscriber's account after the last day of the preceding year—interest from the date of deposit upto the end of the current year;

(d) the total amount of interest shall be rounded to the nearest whole rupee (fifty paise or more counting as the next higher rupee):

Provided that when the amount standing at the credit of a subscriber has become payable, interest shall thereupon be credited under this sub-clause in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be, up to the date on which the amount standing to the credit of the subscriber became payable.

(3) In this Statute the date of deposit shall, in the case of a recovery from emoluments, be deemed to be the first day of the month in which it is recovered, and, in the case of an amount remitted by the subscriber into the treasury,

shall be deemed to be the first day of the month of remittance, if it is remitted into the treasury before the fifth day of that month, but if it is remitted on or after the fifth day of that month, the first day of the next month:

Provided that where there has been a delay in the drawal of pay or leave salary and allowances of a subscriber and consequently the recovery of his subscription towards the fund is delayed, the interest on such subscription shall be payable from the month in which the pay or leave salary of the subscriber was due irrespective of the month in which it was actually drawn:

Provided further that where the emoluments for a month are drawn and disbursed in the same month itself, the date of deposit shall in the case of recovery of his subscription, be deemed to be the first day of the succeeding month.

(4) In addition to any amount to be paid under the Statute in this Chapter on final withdrawal, interest thereon up to the end of the month preceding that in which the payment is made or upto the end of the sixth month after the month in which such amount became payable, whichever of these periods be less, shall be payable to the person to whom such amount is to be paid:

Provided that where the Account Officer has intimated to that person (or his agent) a date on which he is prepared to make payment, interest shall be payable only upto the end of the month preceding the date so intimated.

*Note:*—If a subscriber holding a post in an officiating capacity exercises on the termination of his post the option allowed by clause (2) of Statute 74 of leaving in the funds the amount accumulated to his credit; interest shall be allowed on that amount for not more than a year after the termination of employment. If the subscriber subsequently obtains re-employment as private college teacher, deposits not withdrawn will carry interest again from the date on which subscriptions are renewed.

(5) Interest shall not be credited to the account of a subscriber if he informs the Account Officer that he does not wish to receive it; but if he subsequently asks for interest, it shall be credited with effect from the first day of the year in which he asks for it or if he had joined the Fund during the year, from the date of his joining the fund.

59. *Advance from the fund.*—(1) A temporary advance may be granted to a subscriber from the amount standing to his credit in the Fund at the discretion of the appropriate authority specified by the Government in this behalf, subject to the following conditions, namely:—

(a) no advance shall be granted, unless the sanctioning authority is satisfied that the applicant's pecuniary circumstances justified it, and that it



will be expended on the following object or objects and not otherwise, provided that the condition of actual dependence shall not apply in the case of any son or daughter of the subscriber:—

- (i) to pay expenses in connection with prolonged illness of the applicant or any persons actually dependent on him, or to repay any outstanding amount on account of a loan expressly taken for that purpose;

*Note:*—An advance is permissible to meet the expenses on account of confinement (1) in cases necessitating prolonged medical attention, prolonged stay in a hospital or protracted treatment and (2) in other circumstances involving expenditure disproportionate to the subscriber's income.

- (ii) to pay for the overseas passage for reasons of health or education of the subscriber or of any person actually dependent on him; and also to meet the cost of education of the subscriber or of any person actually dependent on him, outside India, whether for an academic, technical, professional or vocational course, or in India for medical, engineering or other technical or specialised courses beyond the high school stage, provided that the course of study is for not less than three years;

- (iii) to pay obligatory expenses on a scale appropriate to the subscriber's Statutes in connection with marriage, funerals or ceremonies which by the religious or social customs of the applicant it is incumbent on him to perform, or to repay any outstanding amount on account of a loan expressly taken for that purpose.

*Note:*—Temporary advance from Provident Fund credits of a subscriber may be granted to meet expenses in connection with the marriage and other ceremonies of the subscriber himself;

- (iv) to pay for the cost of legal proceedings instituted by the subscriber for vindicating his position in regard to any allegations made against him in respect of any act done or purporting to be done by him in the discharge of his official duties, the advance in this case being available in addition to any advance admissible for the same purpose from any other Government source, provided that the advance under this statute shall not be admissible to a subscriber who institutes legal proceedings in any Court of Law either in respect of any matter unconnected with his official duty or against Government in respect of any condition of service or penalty imposed on him;
- (v) to pay for the cost of the subscriber's defence where he is prosecuted by the Government in any Court of Law or when the subscriber engages a legal practitioner to defend himself in an enquiry in respect of any alleged misconduct on his part,

*Note:*—(1) The amount of temporary advances admissible for purposes of sub-clause (iv) and (v) shall, notwithstanding any other provision

to the contrary in these Statutes, not exceed three month's pay or Rs. 500 whichever is greater and shall in no case exceed half the amount at the credit of the subscriber.

*Note:—*2. A temporary advance may be granted to a subscriber who is under suspension provided he agrees in writing to the recovery of the advance being made in monthly instalments from the subsistence allowance sanctioned to him,

(b) The Government may, in special circumstances, sanction a temporary advance if they are satisfied that the subscriber concerned requires the advance for a purpose other than those provided for in clause (a):

(c) the sanctioning authority shall record in writing its reasons for granting the advance;

(d) an advance shall not, except for special reasons to be recorded in writing be granted—

(i) in excess of three months' pay or half the amount at the credit of the subscriber in the Fund, whichever is less, or

(ii) until repayment of the last instalment of any previous advance:

Provided that if the reason is of a confidential nature, it may be communicated to the Account Officer personally and or confidentially.

*Note:—*For the purpose of this Statute, "pay" includes dearness pay, if any.

(2) The sanctioning authority shall not, under any circumstance grant to a subscriber from the Fund—

(a) an advance during the month in which he retires or proceeds on leave preparatory to retirement from service on superannuation;

(b) an advance unless a period of six months has elapsed after the grant of a previous advance;

(c) an advance during the last one year of service, immediately preceding the date of retirement, to a subscriber who has elected not to subscribe to the Fund during the said period in accordance with the third proviso to clause (i) of Statute 50.

(3) Sanctioning of a temporary advance from the Provident Fund shall not result in a position whereby the amount of advance outstanding repayment plus the advance proposed to be sanctioned is more than 300 per cent of the balance amount at the subscriber's credit with the Government after disbursing the advance to be sanctioned. The following formula may be adopted for determining the maximum amount of advance admissible at a particular time:

$\frac{3a - b}{4}$  'a' represents the balance at credit and 'b' represents the outstanding balance of the previous advance/advances.

*Illustration:*—(a) Rs. 6000 (b) Rs. 2,000 maximum temporary advance admissible is  $\frac{3a - b}{4} = \frac{(3 \times 6000) - 2000}{4} = \frac{18000 - 2000}{4} = \frac{16000}{4} = \text{Rs. } 4,000.$

(3) When an advance is sanctioned under clause (1) before repayment of last instalment of any previous advance is completed, the balance of any previous advance not recovered shall be added to the advance so sanctioned and the instalment of recovery shall be fixed with reference to the consolidated amount.

(4) The amount of an advance shall be a sum expressed in whole rupees and the monthly instalments of repayments shall also be in equal number of whole rupees, the advance applied for being raised or reduced if necessary to enable the instalments to be thus fixed.

60. *Recovery of advance:*—(1) (a) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct, but such number shall not be less than twelve, unless the subscriber so elects, or in any case not more than twenty-four.

(b) In special cases where the amount of advance exceeds 3 months pay of the subscriber under item (i) of sub clause (d) of clause (1) of Statute 59, the sanctioning authority may fix such number of instalments to be more than twenty-four but in no case more than thirty-six.

(c) A subscriber may, at his option, repay two or more instalments in a month.

(2) (a) Recovery shall be made in the manner prescribed in Statutes 52 and 53 for the realisation of subscriptions, and shall commence with the first issue of pay for the month following the month in which the advance is drawn.

(b) Recovery shall not be made, except with the subscriber's consent, while he is on leave, which either does not carry any leave salary or carries leave salary equal to or less than half pay, or while undergoing any course or on receipt of subsistence allowance and may be postponed on the subscriber's written request by the sanctioning authority during the recovery of an advance of pay granted to the subscriber.

(3) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole or the balance of the amount withdrawn shall with interest at the rate provided in Statute 58 be forthwith repaid by the subscriber to the Fund, and in cases of default, be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber in a lump sum or in monthly instalments not exceeding twelve as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under Sub-clause (d) of clause (1) Statute 59:



Provided that subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.

(4) Recoveries made under this Statute shall be credited as they are made to the subscriber's account in the Fund.

(5) Recoveries towards temporary advance previously granted and outstanding, will not be made during the last one year of service immediately preceeding the date of retirement in respect of a subscriber who has elected not to subscribe to the fund during the said period in accordance with the third proviso to clause (1) of Statute 50.

61. *Payment towards Insurance Policies.*—(1) Subject to the provisions of Statute 71, withdrawals from the Fund may be permitted to meet,

- (a) a payment towards policy of life insurance;
- (b) the purchase of a single payment life insurance policy;

Provided that no amount shall be withdrawn (i) before the details of the proposed policy have been submitted to the Account Officer and accepted by him as suitable, or (ii) to meet any payment of purchase made or effected more than three months before the withdrawal, or (iii) in excess of the amount required to meet a premium or subscription actually due for payment within three months of the date of withdrawal:

Provided further that no amount may be withdrawn to meet any payment or purchase in respect of an educational endowment policy if that policy is due for payment in whole or part before the subscriber's age of normal superannuation:

Provided also that amount withdrawn shall be rounded to the nearest whole rupee.

(2) The Account Officer shall, before accepting as suitable the details of the proposed policy, satisfy himself that the policy is taken out mainly for the benefit of the subscriber's family and shall refuse to accept a policy which does not fulfill this condition.

62. *Restriction on withdrawal.*—The number of policies in respect of which withdrawal of subscription from the Fund may be permitted under Statute 61 shall not exceed four.

(2) The premium for a policy in respect of which withdrawal of subscriptions from the Fund may be permitted under Statute 61 shall not be payable otherwise than annually.

63. *Liability to subscribe after withdrawal.*—If the subscriber withdraws any amount standing to his credit in the Fund for any of the purposes specified in Statute 61, he shall continue to pay to the Fund the subscription payable under Statute 51.

64. *Procedure for withdrawal, etc.*—(1) A subscriber who desires to withdraw any amount under Statute 61 shall,

(a) intimate the reasons for the withdrawal to the Account Officer by letter;

(b) make arrangements with the Account Officer for the withdrawal;

(c) send to the Account Officer, within such period as the Account Officer may require, receipts or certified copies of receipts in order to satisfy the Account Officer that the amount withdrawn was duly applied for the purposes specified in Statute 61.

(2) The Account Officer shall order the recovery of any amount withdrawn, in respect of which he has not been satisfied in the manner required by sub-clause (c) of clause (1) together with interest thereon at the rate determined under Statute 58 in respect of the year in which the payments should have been made from the emoluments of the subscriber and place it to the credit of the subscriber in the Fund.

65. *Insurance policies for which withdrawals can be made.*—(1) A Policy to be acceptable under these Statutes shall be one effected by the subscriber himself on his own life and shall unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of his wife, or of his wife and children, or any of them be such as may be legally assigned by the subscriber to the Governor. Government shall not make any payment of premia on behalf of subscribers to Insurance Companies nor take steps to keep a policy alive.

*Explanation.*—A policy on the joint lives of the subscriber and the subscriber's wife or husband shall be deemed to be a policy on the life of the subscriber for the purpose of this Statute.

*Explanation 2.*—A policy which has been assigned to the subscriber's wife shall not be accepted unless either the policy is first reassigned to the subscriber or the subscriber and his wife both join in an appropriate assignment.

(2) A Policy may not be effected for the benefit of any beneficiary other than the wife or husband of the subscriber or the wife or husband and children of the subscriber or any of them.

66. *Assignment of Policy.*—(1) A policy, within three months after the first withdrawal from the fund in respect of the policy, shall—

(a) unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of the wife of the subscriber, or of his wife and children, or any of them, be assigned to the Governor as security for the payment of any sum which may become payable to the Fund under clause (1) of Statute 70 and delivered to the Account Officer

the assignment being made by endorsement on the policy in Form I or Form II or Form III in the Second Schedule to these Statutes according as the policy is on the life of the subscriber or on the joint lives of the subscriber and the subscriber's wife or husband, or the policy has previously been assigned to the subscriber's wife.

(b) if it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of the wife of the subscriber, or of the wife and children or any of them be delivered to the Account Officer.

(2) The Account Officer shall satisfy himself by reference to the Life Insurance Corporation, where possible, that no prior assignment of the Policy exists.

(3) Once a policy has been accepted by the Account Officer for the purpose of being financed from the Fund, the terms of the Policy shall not be altered, nor shall the policy be exchanged for another policy without the prior consent of the Account Officer to whom details of the alteration or of the new Policy shall be furnished.

(4) If the policy is not assigned and delivered, or delivered within the said period of three months, any amount withheld or withdrawn from the Fund in respect of the policy shall, with interest thereon at the rate provided in Statute 58 forthwith be paid or repaid, as the case may be, by the subscriber to the Fund; or in case of default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise as may be directed by the Principal.

(5) Notice of assignment of the policy shall be given by the subscriber to the Life Insurance Corporation, and the acknowledgement of the notice by the Life Insurance Corporation shall be sent to the Account Officer within three months of the date of assignment.

*Note:* The subscriber shall not during the currency of the policy draw any bonus the drawal of which during such currency is optional under the terms of the policy, and the amount of any bonus which under the terms of the policy the subscriber has no option to refrain from drawing during its currency shall be paid forthwith into the Fund by the subscriber or in case of default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber, by instalments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required.

67. *Fresh assignment of Policies in cases where fund is changed.*—If a subscriber to any other Fund financing his insurance policy or policies under the rules of the Fund comes over to the Fund constituted under these statutes and intends to finance that policy or policies with that Fund he shall, on reassignment of the policy or policies by the Account Officer concerned in the form prescribed in the Fourth Schedule to these Statutes, make within a period of three months of the reassignment a fresh assignment of the policy or policies in the appropriate form prescribed in the Second Schedule to these Statutes.



the assignment being made by endorsement on the policy in Form I or Form II or Form III in the Second Schedule to these Statutes according as the policy is on the life of the subscriber or on the joint lives of the subscriber and the subscriber's wife or husband, or the policy has previously been assigned to the subscriber's wife.

(b) if it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of the wife of the subscriber, or of the wife and children or any of them be delivered to the Account Officer.

(2) The Account Officer shall satisfy himself by reference to the Life Insurance Corporation, where possible, that no prior assignment of the Policy exists.

(3) Once a policy has been accepted by the Account Officer for the purpose of being financed from the Fund, the terms of the Policy shall not be altered, nor shall the policy be exchanged for another policy without the prior consent of the Account Officer to whom details of the alteration or of the new Policy shall be furnished.

(4) If the policy is not assigned and delivered, or delivered within the said period of three months, any amount withheld or withdrawn from the Fund in respect of the policy shall, with interest thereon at the rate provided in Statute 58 forthwith be paid or repaid, as the case may be, by the subscriber to the Fund; or in case of default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise as may be directed by the Principal.

(5) Notice of assignment of the policy shall be given by the subscriber to the Life Insurance Corporation, and the acknowledgement of the notice by the Life Insurance Corporation shall be sent to the Account Officer within three months of the date of assignment.

*Note:* The subscriber shall not during the currency of the policy draw any bonus the drawal of which during such currency is optional under the terms of the policy, and the amount of any bonus which under the terms of the policy the subscriber has no option to refrain from drawing during its currency shall be paid forthwith into the Fund by the subscriber or in case of default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber, by instalments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required.

67. *Fresh assignment of Policies in cases where fund is changed.*—If a subscriber to any other Fund financing his insurance policy or policies under the rules of the Fund comes over to the Fund constituted under these statutes and intends to finance that policy or policies with that Fund he shall, on reassignment of the policy or policies by the Account Officer concerned in the form prescribed in the Fourth Schedule to these Statutes, make within a period of three months of the reassignment a fresh assignment of the policy or policies in the appropriate form prescribed in the Second Schedule to these Statutes.

68. *Reassignment of policy etc.*—(1) Save as provided in clause (2) of Statute 70 when the subscriber

(a) quits the service; or

(b) has proceeded on leave preparatory to retirement or if he is employed in a vacation department, on leave preparatory to retirement combined with vacation, and applies to the Account Officer for reassignment or return of the policy; or

(c) while on leave has been permitted to retire or declared by a competent medical authority to be unfit for further service and applies to the Account Officer for reassignment or return of the policy; or

(d) pays or repays to the Fund the whole of any amount withdrawn from the Fund for any of the purposes mentioned in Statute 61 with interest thereon at the rate provided in Statute 58 the Accounts Officer shall, for and on behalf of the Governor,—

(i) if the policy has been assigned to the Governor under Statute 66 reassign the policy in Form I in the Third Schedule to these Statutes to the subscriber, or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber together with a signed notice of the reassignment addressed to the Life Insurance Corporation; or

(ii) if the policy has been delivered to him under sub clause (b) of clause (1) of Statute 66, make over the policy to the subscriber.

(2) Save as provided in clause (2) of Statute 70, when the subscriber dies before quitting his service, the Account Officer shall deal with the Policy as indicated below, namely:—

(a) if there is a beneficiary and if the beneficiary be the same as the person entitled to his Provident Fund, the Account Officer shall for and on behalf of the Governor, reassign the policy to the beneficiary in Form No. II in the Third Schedule to these Statutes;

(b) if there is a beneficiary who is different from the person entitled to the Provident Fund, the Account Officer shall draw the amount from the Life Insurance Corporation and recoup to the Provident Fund such amount as has been withdrawn for payment of premia together with interest as calculated under Statute 58 and pay the balance if any, to the beneficiary;

(c) if there is no beneficiary, the Account Officer shall draw the amount from the Life Insurance Corporation and credit to the Provident Fund Account of the subscriber and dispose it of as follows:—

From the amount so realised, so much of the amount as has been withdrawn from his Provident Fund amount for the payment of premia with interest as calculated under Statute 58, shall be paid to the person or persons entitled for his Provident Fund amounts. The balance if any will form part of the state of the deceased and shall be paid to his heirs according to law, provided it is free from attachment by a Court of Law.

69. *Procedure when policy matures or falls due by reason of death of assignee.*—

(1) If a policy assigned to the Governor under Statute 66 matures before the subscriber quits the service, or if a policy on the joint lives of a subscriber and the subscriber's wife or husband assigned under Statute 66, falls due for payments by reason of the death of the subscriber's wife or husband, the Account Officer shall, save as provided by clause (2) of Statute 70, proceed as follows:—

(i) if the amount assured is greater than the whole of the amount withdrawn from the Fund in respect of the policy with interest, the Account Officer shall, for and on behalf of the Governor, reassign the policy in the Form set forth in the Fourth Schedule to these Statutes to the subscriber or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber, who shall immediately on receipt of the policy moneys from the Life Insurance Corporation pay or repay to the Fund the whole of any amount withdrawn with interest, and in case of default, the provisions of clause (4) of Statute 66, applicable to a failure to assign and deliver a policy shall apply;

(ii) if the amount assured is less than the whole of the amount withdrawn with interest, the Account Officer shall realise the amount assured together with any bonus which has accrued and shall place the amount so realised to the credit of the subscriber in the Fund.

(2) Save as provided in clause (2) of Statute 70 if a policy delivered to the Account Officer, under sub clause (b) of clause (1) of statute 66 matures before the subscriber quits the service, the Account Officer shall make over the policy to the subscriber:

Provided that if the interest in the policy of the wife of the subscriber, or of his wife and children, or any of them as expressed on the face of the policy, expires when the policy matures, the subscriber, if the policy moneys are paid to him by the Life Insurance Corporation, shall immediately on receipt thereof, pay or repay to the Fund—

(i) the whole of any amount withdrawn from the Fund in respect of the policy with interest thereon at the rate provided in Statute 58, or

(ii) an amount equal to the amount assured together with the amount of any bonus which has accrued, whichever is less and, in case of default, the provisions of clause (4) of Statute 66 applicable to a failure to assign and deliver a policy shall apply

70. *Procedure in which policy lapses or is charged or encumbered etc.*—(1) If the policy lapses or is assigned otherwise than to the Governor under Statute 66 or is charged or encumbered, the provisions of clause (4) of that Statute applicable to a failure to assign and deliver a policy shall apply.

(2) If the Account Officer receives notice of:

(a) an assignment (other than an assignment to the Governor) under Statute 66 of a policy; or



- (b) a charge or encumbrance on a policy; or
- (c) an order of a Court restraining dealing with the policy or any amount realised thereon,

the Account Officer shall not, for and on behalf of the Governor,

- (i) re-assign or make over the policy as provided in Statute 68 or
- (ii) realise the amount assued by the policy or reassign or make over the policy, as provided in Statute 68, but shall forthwith refer the matter to the Government.

71. The provisions of Statutes 61 to 70 shall apply only to subscribers who, before the date of commencement of these Statutes, have been making withdrawals from any other Fund for such payments:

Provided that withdrawals from the Fund shall not be permitted for making payments in respect of any new policy.

72. *Non refundable withdrawals.*—(1) Subject to the conditions specified herein, non-refundable withdrawals from the amount standing to the credit of a subscriber in the Fund may be sanctioned by an authority competent to sanction an advance for special reasons under sub-clause (d) of clause (1) of Statute 59 at any time—

(a) after the completion of twenty years of service (including broken periods of service, if any) of the subscriber or within ten years of the date of his attainment of the age of superannuation, whichever is earlier, except during the month in which he retires or proceeds on leave preparatory to retirement from service on superannuation, for one or more of the following purposes, namely:—

(i) meeting the cost of higher education, including where necessary, the travelling expenses of any child of the subscriber and if he has no child, of any other relative actually dependent on him, in the following cases namely:—

(A) for education outside India for academic, technical, professional or vocational course beyond the high school stage, and

(B) for any medical, engineering or other technical or specialised course in India beyond the high school stage, provided that the course of study is for not less than three years;

(ii) meeting the expenditure in connection with the marriage of a son or daughter of the subscriber, and if he has no daughter, of any other female relative dependent on him, or repaying any outstanding amount on account of a loan expressly taken for that purpose;

(iii) meeting the expenditure in connection with the illness, including, where necessary, the travelling expenses of the subscriber or any person actually dependent on him, or repaying any outstanding amount on account of a loan expressly taken for that purpose;

(iv) purchasing a house site in the name of the subscriber or in the names of the subscriber and his wife or repaying any outstanding amount on account of a loan expressly taken for that purpose from the Government or any other source before the date of application for the withdrawal:

Provided that the house to be constructed on the site so purchased is for the actual residence of the subscriber or his family;

(v) building a suitable house on a site owned or acquired by the subscriber or by the subscriber and his wife or without any assistance from the Provident Fund, or acquiring a house together with the site thereof in the name of the subscriber or in the names of the subscriber and his wife, or repaying any outstanding amount on account of a loan expressly taken by the subscriber or his wife from the Government or any other source for any of those purposes before the date of application for withdrawal:

Provided that the house is for the actual residence of the subscriber or his family; and

(vi) making additions or alterations to, or reconstructing, or completing, or repairing a house owned or acquired by the subscriber or by the subscriber and his wife without any assistance from the Provident Fund, or repaying any outstanding amount on account of a loan expressly taken by the subscriber or his wife from the Government or any other source for any of those purposes before the date of application for the withdrawal;

Provided that the house is for the actual residence of the subscriber or his family.

*Note:* In respect of a female subscriber, the words 'his' and 'wife' occurring in sub-clauses (iv), (v) and (vi) shall be read as 'her' and 'husband' respectively.

(b) after the completion of twenty-five years of service (including broken periods of service) if any of a subscriber or within three years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund for the purpose of purchasing a motor car for his own use or repaying any outstanding amount on account of a Government loan expressly taken for that purpose before the date of application for the withdrawal:

Provided that the pay drawn by subscriber on the date of application is not less than Rs. 710 per mensem.

*Explanation.*—For the purposes of the proviso the term "pay" means pay as defined in rule 12 (23), part I of the K. S. R.:

Provided further that the amount of withdrawal shall in no case exceed the actual cost of the car or the balance outstanding against the loan taken for the purpose:

Provided also that no withdrawal for the purpose shall be allowed more than once.

(2) (a) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in clause (1) from the amount standing to his credit in the fund shall not ordinarily exceed one-half of such amount or, six month's pay, whichever is less. The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit upto  $\frac{3}{4}$ th of the balance at his credit in the Fund having due regard to the object for which the withdrawal is being made, the status of the subscriber and the amount to his credit in the Fund. The Government may at any time take for themselves powers to sanction non refundable advance in excess of the normal limit:

Provided that—

(i) a subscriber who has been permitted a non-refundable withdrawal from the Fund for the purpose of building or acquiring a suitable house for residence at any place will not be permitted to make another non-refundable withdrawal from the Fund for any of those purposes or for the purchase of a house site at the same or another place;

(ii) in the case of a subscriber who has been permitted a non-refundable withdrawal under item (iv) of sub clause (a) of clause (1) to purchase a house site, he will not be permitted to make another withdrawal for acquiring another house site or a house together with site at the same or another place;

(iii) a subscriber who has been permitted under item (iv) or item (v) of sub clause (a) of clause (1) to withdraw money from the amount standing to his credit in the Fund shall not part with the possession of the house so built or acquired or house site so purchased, by way of sale, mortgage, gift, exchange or lease for a term exceeding three years, without the previous permission of the sanctioning authority.

(b) A subscriber referred to in paragraph (iii) of the proviso to clause (a) shall submit a declaration not later than the 31st day of December of every year to the effect that the house or, as the case may be, the house site continues to be in his possession and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale deed and other documents on which his title to the property is based. If at any time before retirement, he parts with the possession of the house or house site without obtaining the previous permission of the sanctioning authority, the sum withdrawn by him shall forthwith be repaid in one lump sum together with interest thereon at the rate provided in Statute 58 by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments, as may be determined by the Government:



Provided that those subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.

(3) A subscriber who has been permitted to withdraw money from the Fund under clause (1) shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump together with interest thereon at the rate provided in statute 58 by the subscriber to the Fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump or in such number of monthly instalments as may be determined by the Government.

(4) Nothing in clause (3) shall be deemed to require a subscriber whose deposits in the Fund carry no interest, to pay any interest on any sum repayable by him under that clause.

(5) A subscriber who has drawn an advance under statute 59 for any of the purposes specified in items (i), (ii), and (iii) of sub clause (a) of clause (1) may convert, at his discretion, by written request addressed to the Account Officer through the sanctioning authority, the balance of the advance outstanding into a non-refundable withdrawal on his satisfying the conditions laid down in clauses 1 to 4.

(6) The actual withdrawal from the Fund shall be made only on receipt of an authorisation from the Accountant General who will arrange this on receipt of formal sanction issued by the sanctioning authority.

73. *Recovery of moneys drawn or withdrawn from the Fund for improper use.*—Notwithstanding anything contained in the Statutes in this chapter if the sanctioning authority is satisfied that money drawn as advance from the Fund under clause (1) of statute 59 or withdrawn from the Fund under statute 61 has been utilised for a purpose other than that for which sanction was given to the drawal or withdrawal of the money, the amount in question shall, with interest at the rate provided in statute 58 forthwith be repaid or paid, as the case may be, by the subscriber to the Fund, or in default, be ordered to be recovered by deduction in a lump from the emoluments of the subscriber, even if he be on leave. If the total amount to be repaid or paid, as the case may be, be more than half the subscriber's emoluments, recoveries shall be made in monthly instalments from his emoluments till the entire amount recoverable be repaid or paid, as the case may be, by him.

*Explanation.*—In this statute, the term "emoluments" shall not include subsistence allowance.

74. *Final withdrawal of accumulations in the Fund.*—(1) When a subscriber quits the service, the amount standing to his credit in the Fund shall become payable to him:

Provided that a subscriber who has been dismissed, removed or compulsorily retired from service and is subsequently reinstated in the service shall, if required to do so by the Government, repay any amount paid to him from the Fund in pursuance of this statute, with interest thereon in the manner laid down in the proviso to statute 75.

(2) The amount repaid by a subscriber under the proviso to clause (1) shall be credited to his account in the Fund.

(3) A subscriber holding a post in an officiating or temporary capacity may either withdraw the amount on the termination of his post or leave it in the Fund to be withdrawn at the time he finally quits service.

*Note:* When a subscriber quits service for appointment in Government service his balance in the Fund shall be transferred to the Government Provident Fund with the concurrence of the Account Officer of the Fund.

75. *Amount in Fund payable when subscriber proceeds on leave preparatory to retirement etc.*

When a subscriber—

(a) has proceeded on leave preparatory to retirement or, if he is employed in a vacation department, on leave preparatory to retirement combined with vacation; or

(b) while on leave, has been permitted to retire or has been declared by a competent medical authority to be unfit for further service; or

(c) has attained the age of superannuation but has not been permitted to retire from service owing to some reason or other;

the amount standing to his credit in the Fund shall, upon application made by him in that behalf to the Account Officer, become payable to him:

Provided that the subscriber, if he returns to duty, shall, if required to do so by the authority competent to sanction an advance for the grant of which special reasons are required under sub-clause (d) of clause (1) of statute 59 repay to the Fund, for credit to his account, the whole or part of any amount paid to him from the Fund in pursuance of this statute with interest thereon at the rate provided in Statute 58 in cash or securities or partly in cash and partly in securities, by instalments or otherwise by recovery from his emoluments or otherwise, as may be directed by the authority.

76. *Procedure on death of subscriber.*—On the death of a subscriber before the amount standing to his credit has become payable or where the amount has become payable before payment has been made,—

(i) when the subscriber leaves a family—

(a) if a nomination made by the subscriber in accordance with the provisions of statute 55 or of the corresponding statutes heretofore in force in

favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;

(b) if no such nomination in favour of a member or members of the family of the subscriber subsists, or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family become payable to the members of his family in equal shares:

Provided that no share shall be payable to—

- (i) sons who have attained legal majority;
- (ii) sons of deceased sons who have attained legal majority;
- (iii) married daughters whose husbands are alive;
- (iv) married daughters of deceased sons whose husbands are alive [if there is any member of the family other than those specified in items (i), (ii), (iii) and (iv)]:

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal shares only the share which that son should have received if he had survived the subscriber and had been exempted from the provisions of item (i) in the preceding proviso.

(2) When the subscriber leaves no family and if a nomination made by him in accordance with the provisions of statute 55 or of the corresponding statutes heretofore in force in favour of any person or persons subsists, the amount standing to his credit in the Fund or the portion thereof to which the nomination relates, shall become payable to his nominees in the proportion specified in the nomination.

*Note 1:* Payment of Provident Fund money due to a minor beneficiary of a deceased subscriber may be made to the guardian nominated by the subscriber and when the subscriber has not nominated a guardian, a guardian appointed by the Court to receive payment, on behalf of a minor beneficiary should alone be recognised even where the amount involved does not exceed the limit of Rs. 5,000 specified in clause (b) of sub-section (1) of section 4 of the Provident Funds Act, 1925. But if the party pleads inability to incur expenditure for obtaining the guardianship certificate from the Court, the orders of the Government should be obtained for making any payment.

*Note 2:* Payment may, however, be made without requiring the production of a guardianship certificate from the Court if the share of a minor beneficiary does not exceed Rs. 500 and when the total



amount payable to all the minors in a particular case does not exceed Rs. 1,000 orders of the Government being obtained in cases when the above limits are exceeded.—

- (i) to the natural guardian of such minor beneficiary; or
- (ii) in the absence of a natural guardian, to the person considered fit by the Principal to receive payment on behalf of such minor beneficiary, on such person executing a bond in the form in Appendix II signed by two sureties agreeing to indemnify the Government against any subsequent claims which might arise:

Provided that the natural guardian if it is considered expedient may also be required to execute a bond signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise before the payment is made:

Provided further that, in cases governed by the Hindu Law, payment may be made, without requiring the production of a guardianship certificate from the Court, to a Hindu widow of a deceased subscriber on behalf of her minor children other than step-children, irrespective of the limit of Rs. 500 specified above and such widow, if considered expedient, may also be required to execute a bond signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise before the payment is made.

*Note 3:*—Payment of Provident Fund money due to a person nominated to receive the whole or part of the amount standing to the credit of a subscriber in the Fund shall be made as follows in cases where the nominee dies after the subscriber but before receiving payment:—

(a) When the amount due to the deceased nominee does not exceed Rs. 500 the Account Officer may authorise payment of the amount to the claimant or claimants reported by the Collector of the district concerned to be entitled to receive payment, after making such enquiry into the right and title of the claimant or claimants as the Collector may deem sufficient, if the Collector considers that the production of letters of administration or other legal authority may be dispensed with. The records of enquiry should contain the signed statements of at least two trustworthy or disinterested persons:

Provided that the Collector may, in such cases, if he considers it expedient, require the party to execute before the payment is made, a Bond in the form in Appendix III signed by two sureties agreeing to indemnify the Government against any subsequent claims which might arise;

(b) When the amount due to the deceased nominee exceeds Rs. 500 payment shall be made by the Account Officer, to the person who produces probate or letters of administration evidencing the grant to him of administration to the estate of the deceased nominee or a succession certificate entitling the holder thereof to receive payment of the amount:

Provided that in cases where the Government are satisfied of the right and title of a person claiming payment as heir of the deceased nominee and that undue delay and hardship would be caused by insisting on the production of letters of administration or other legal authority, they may authorise the Account Officer to pay the amount to the claimant on his executing a bond in the form in Appendix III signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise.

*Note 4:*—Notwithstanding the grant of a succession certificate in favour of any one or more of the claimants, the Provident Fund balance standing to the credit of a deceased subscriber shall be paid to the claimant or claimants in accordance with the provisions of the Provident Funds Act, 1925 and the Rules made thereunder.

77. *Duty of Account Officer to make payment when amount becomes payable.*—When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Account Officer to make payment as provided in section 4 of the Provident Funds Act, 1925.

78. *Payment etc., to lunatics.*—If the person to whom, under these Statutes, any amount or policy is to be paid, reassigned or delivered is a lunatic for whose estate a Manager has been appointed in this behalf under the Indian Lunacy Act, 1912, the payment, re-assignment or delivery shall be made to such Manager and not to the lunatic.

79. *Relaxation of the provisions of the Statutes in certain cases.*—When the Chancellor is satisfied that the operation of any of the Statutes in this chapter causes or is likely to cause undue hardship to a teacher in a private college, he may, after recording his reasons for so doing deal with the case of such teacher in such manner as may appear to him to be just and equitable, notwithstanding anything to the contrary contained in this chapter:

Provided that a case shall not be dealt with in any manner less favourable to such teacher than that prescribed in these Statutes.

80. *Rules of procedure.*—(1) All sums paid into the Fund under these statutes shall be credited in the books of Government to an account named "The Kerala Private College Teachers' Provident Fund". Sums, of which payment has not been taken within one year after they become payable under these statutes, shall be transferred to "Deposits" at the end of the year and treated under the ordinary rules relating to deposits.

(2) When paying a subscription either by deduction from emoluments or in cash, a subscriber shall quote the number of his account in the Fund, which shall be communicated to him by the Account Officer. Any change in the number shall similarly be communicated to the subscriber by the Account Officer.

(3) As soon as possible after the close of each year, the Account Officer shall send to each subscriber a statement of his account in the Fund showing

the opening balance as on the 1st April of the year, the total amount of interest credited as on the 31st March of the year and the closing balance on that date. The Account Officer shall attach to the Statement of account an inquiry as to whether the subscriber—

(a) desires to make any alteration in any nomination made under statute 55 or under the corresponding Statutes heretofore in force;

(b) has acquired a family in cases where the subscriber has made no nomination in favour of a member of his family under the proviso to clause (1) of Statute 55.

(4) Subscribers should satisfy themselves as to the correctness of the annual statement, and errors should be brought to the notice of the Account Officer within three months from the date of receipt of the Statement.

(5) The Account Officer, shall, if required by a subscriber once but not more than once in a year, inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.

81. *Procedure for drawing advance.*—Application for an advance against Provident Fund Deposit shall be in Form B and for a non-refundable withdrawal from Provident Fund shall be in Form B1. Applications of all teachers in Private Colleges shall be sent through the Principal of the college who shall verify the details with reference to the last credit card, copies of pay bills and other relevant documents. In the case of Principals such application shall be sent through the Deputy Director of Collegiate Education concerned who shall verify the details with reference to the said documents.

82. *Form of sanction.*—Sanction for the grant of temporary advance shall be in Form C. In the case of non-refundable advance, the sanction shall be accompanied by Form C1 also.

*Note:*—The sanction for withdrawal, refundable or non-refundable shall remain operative for a period of three months only and shall be deemed to have lapsed thereafter, unless specifically renewed.

83. *Bills for payments.*—Bill for payments shall be in Form D. A separate bill shall be drawn for each payment of Provident Fund money by the Principal of the Private College in which the teacher is working or by any other authority authorised to draw his pay bills.

*Note:* 1.—In respect of final withdrawals from Provident Fund exceeding Rs. 1000 disbursement certificate shall be furnished to the Account Officer immediately after payment has been made. In respect of payments not exceeding Rs. 1,000 a certificate relating to the period from September to 31st August of each year shall be furnished in the following form by the disbursing officer along with the provident fund



schedule for November (Schedules attached to October pay bills paid in November) each year:—

“Certified that in respect of all final withdrawals from Provident Fund of amounts not exceeding Rs. 1,000 in each case drawn on bills from..... to ..... disbursement have been duly made to the parties authorised to receive payments and their acquittances obtained and filed in my office”.

A ‘Nil’ certificate should be furnished along with the schedules even if there is no disbursement below Rs. 1,000 in any office in a particular year.

*Note 2:*—In respect of withdrawal for insurance premium, the drawing officer shall furnish in the bill for withdrawal a certificate to the effect that he is satisfied that the amount previously withdrawn towards payment of insurance premium has been utilised for the purpose for which it was intended and that the necessary premium receipt has been duly en faced by him.

84. *Closure of Provident Fund Account.*—(1) Application received for closure of Provident Fund Account in Form E shall be sent by the Principal of the Private College in which the subscriber is working sufficiently early to the Zonal Deputy Director of Collegiate Education concerned so as to enable him to forward it along with necessary documents to the Account Officer within a fortnight of the event which necessitates the closure of the Provident Fund Account.

(2) In respect of deceased subscribers, the application for the closure of their Provident Fund Account in Form E, obtained from any nominee or other claimant along with heirship certificate, succession certificate and other documents required for closing the Account and arranging payment shall be forwarded by the Principal through the Zonal Deputy Director of Collegiate Education to the Account Officer, within a fortnight of the death of the subscriber.

(3) The Account Officer shall, on receipt of the application for closure of Provident Fund Account in Form E along with the necessary documents, close the account and issue an authorisation in Form F to the Principal or the authority who disburses the salary of the subscriber.

(4) The bill for the drawal of the money shall be in Form D.

(5) Bills are to be drawn and disbursed after complying with necessary formalities prescribed therefor. In the case of deceased subscribers, the Principal of the College in which the subscriber was last working shall draw and disburse the amount after due verification of the title and identification of the claimants.

85. *Depositing arrears of pay etc., in the Provident Fund Account.*—Notwithstanding anything contained in this Chapter, the Government may, by order

direct that the whole or any part of the arrears of pay and allowances or both payable to subscribers under a scheme of revision of pay or allowances or both implemented with retrospective effect shall be credited to the Fund and every subscriber to whom such order applies shall comply with it.

## CHAPTER VI

### Miscellaneous

86. (1) *Payment of arrears of contributory Provident Fund by the Management or the University.*—If the University or the management has committed default in the payment of its share of the contribution towards the contributory Provident Fund of a teacher which was in existence before the Commencement of these Statutes, the University or such Managements as the case may be, shall immediately after the Commencement of these Statutes, credit such defaulted amount to the account of the Government.”

(2) A teacher, the Contribution to whose account has been defaulted by the University or the Management shall apply to the University or the Management, as the case may be, for crediting the amount of contribution in default to the account of the Government.

(3) A copy of the application, under clause (2) shall be submitted to the Government.

(4) Failure to make an application under clause (2) shall not be deemed to affect the liability of the University or the Management to credit any amount to the account of the Government as required by clause (1).

By order of the Governor,

V. VENKITANARAYANAN,  
*Special Secretary to Government.*

## FORM I

(See Statute 30, Chapter IV)

**Application for admission to the Provident Fund for Teachers in  
Private College**

1. Name of subscriber
2. Father's name
3. Date of birth
4. General Educational qualifications
5. Professional educational qualifications
6. Name of private college in which he/she is employed  
at present
7. Designation of appointment held
8. Date of entertainment in the institution
9. Pay now drawn
10. If subscriber to any existing Provident Fund, the  
name of the Fund and Account No.

I,.....hereby declare that the above entries are correct to the best of my knowledge and that I accept the statutes governing the Private College Teachers Provident Fund and I agree to abide by them in case I am admitted to the benefits of the Fund.

*Signature of Subscriber.*

**NOMINATION**

In case of my admission to the Fund and in the event of my death occurring while my account in the Fund is open, I desire that the amount due to me from the Fund, viz, the amount standing to my credit, in the Treasury Savings Banks and the Government contribution due to me shall be paid:—

(a) If any widow(s) (husband) or and child(ren) survive(s) me, to such one or more of them as are specified in Schedule I below and in the manner shown against his or their names; and

(b) If neither a widow (husband) nor a child survives me to the person or persons specified in Schedule II below and in the manner shown against his or their names.

The amount due to a nominee who is a minor at time of death should be paid to the person whose name appears in column (5) of Schedule I/II.

*Note:—*Where a widow is excluded under clause (3) of statutes 40 the subscriber, may, if there is neither a surviving child nor any other surviving widow, distribute the amount under Schedule II.



## SCHEDULE I

**Manner of distribution in case there is a surviving widow(s)**  
 (/Husband or/and Child(ren))

| <i>Name and address of the nominee or nominees</i> | <i>Relationship with the subscriber</i> | <i>Whether major or minor if minor State age of minor</i> | <i>Amount or share of deposit</i> | <i>Name and address of the person to whom payment is to be made on behalf of the minor</i> | <i>Sex and parentage of person mentioned in col. (5)</i> |
|--|---|---|-----------------------------------|--|--|
| (1)  | (2)                                     | (3)   | (4)                               | (5)  | (6)  |

## SCHEDULE II

**Manner of distribution in case there is no surviving widow**  
 (husband) or child

| <i>Name and address of the nominee or nominees</i> | <i>Relationship with the subscriber, if any</i> | <i>Whether major or minor if minor State age of minor</i> | <i>Amount or share of deposit</i> | <i>Name and address of the person to whom payment is to be made on behalf of the minor</i> | <i>Sex and parentage of person mentioned in col. (5)</i> |
|--|---|---|-----------------------------------|--|--|
| (1)  | (2)   | (3)   | (4)                               | (5)  | (6)  |

Station:

Date:

Two witnesses:

Signature of subscriber.

Certificate to be given by the Principals.

I hereby certify that the pay of the subscriber shown in column (9) of the above application is correct.

Station:

Date:

Principal.

## FORM 2

(See Statute 30 Chapter IV)

Name  
Date of birth  
Date of admission to the Fund  
Details of service, rates of pay and periods during  
which subscriptions are made.

| Name of<br>the College<br>in which<br>employed | Designation<br>of the post<br>held | Rate of<br>pay | Period for which<br>subscription was<br>paid |     | Particulars<br>of periods<br>during<br>which sub-<br>scription<br>was not<br>paid with<br>reasons<br>therefor | Attestation<br>by the zonal<br>Deputy<br>director<br>of Collegiate<br>Education |
|--|------------------------------------|----------------|--|-----|---|---|
|  |                                    |                | From   | To  |   |   |
| (1)  | (2)                                | (3)            | (4)  | (5) | (6)   | (7)   |

- Note: (1) Zonal Deputy Director of Collegiate Education concerned shall maintain separate register on behalf of colleges in each Taluk for each District.
- (2) Columns (1) to (4) to be filled up at the outset, column (5) to (7) to be filled up whenever there is change in designation, rate of pay or the college of employment and a fresh set of entries commence filling up columns (1) to (4).
- (3) Periods during which subscriptions were paid due to the subscriber going on leave, out of employment, etc., should be noted in column (6), briefly with reasons therefor.

## FORM 3

(See Statute 34, Chapter IV)

Name of the College.....month of.....

| Account No. as<br>in the pass book | Name of<br>subscriber | Monthly<br>pay of the<br>subscriber | The teacher's<br>subscription | Amount of<br>advance<br>refunded | Total |
|------------------------------------|-----------------------|-------------------------------------|-------------------------------|----------------------------------|-------|
|                                    |                       | Rs.                                 | Rs.                           | Rs.                              | Rs.   |
| Total                              |                       |                                     |                               |                                  |       |

FORM 4

(See Statute 34, Chapter IV)

**Register of transfers of accounts sanctioned by the Zonal Deputy Director of Collegiate Education concerned on behalf of subscriber admitted to the Provident Fund**

| Serial Number | Name of Subscriber | Name of the College in which employed | Name of Treasury in which the accounts stands open | Account No. in pass book | Months upto which subscription has been paid | Total amount at credit as in the pass book | Balance of any advance drawn still to be refunded | Date on which the subscriber left the College | Name of the College to which the subscriber has gone | Name of Treasury to which the account is to be transferred | Date of application for transfer of account | Date of order of Zonal Deputy Director of Collegiate Education concerned sanctioning transfer of account | Date of return of the pass book to the subscriber | To be filled in only in Register maintained in College | Date of issue of certificate showing the period to which the subscriber subscribed to the Fund while in the College |
|---------------|--------------------|---------------------------------------|--|--------------------------|--|--|---|---|--|--|---|--|---|--|---|
|---------------|--------------------|---------------------------------------|--|--------------------------|--|--|---|---|--|--|---|--|---|--|---|



FORM 5

[See Statute 34 (8) Chapter IV]

**Register of closure of accounts of subscribers in the Provident Fund sanctioned by the Zonal Deputy Director of Collegiate Education concerned**

|            |                    |                                       |  |  |  |                                      |   |   |  |                               |   |  |                           |   |   |                                |  |   |
|------------|--------------------|---------------------------------------|--|--|--|--------------------------------------|---|---|--|-------------------------------|---|--|---------------------------|---|---|--------------------------------|--|---|
| Serial No. | Name of Subscriber | Name of the College in which employed | Account No. in the pass book of the subscriber | Months from which subscription to the fund commenced | Months upto which subscription has been paid | Amount at credit as in the pass book | Balance of any advance drawn still to be refunded | Date on which the subscriber quitted the fund | Date of application for closure of account | Reason for closure of account | Zonal Deputy Director's order as to eligibility of subscriber for the Government contribution | Total amount withdrawn from Savings Bank | Amount paid to subscriber | Accountant General's order on the application for Government contribution | Amount authorised by the Accountant General for payment | Date on which amount was drawn | To be filled in only in the Register maintained in the College | Date of disbursement to the subscriber with his signature |
|------------|--------------------|---------------------------------------|--|--|--|--------------------------------------|---|---|--|-------------------------------|---|--|---------------------------|---|---|--------------------------------|--|---|

FORM 6

[See Statute 37, Chapter (IV)]

**Register of advances from the Provident Fund sanctioned by the Zonal Deputy Director of Collegiate Education concerned on behalf of the subscribers and their refund.**

| <i>Sl. No.</i> | <i>Name of subscriber</i> | <i>Name of Institution in which employed</i> | <i>Account No. as in the pass book of the subscriber</i> | <i>Amount at credit of the subscriber</i> | <i>Amount of advance applied for</i> | <i>Purpose for which advance is required</i> | <i>Amount of advance sanctioned by the Zonal Deputy Director of Collegiate Education</i> | <i>Number of monthly instalments in which advance repayable</i> | <i>Month in which the advance was drawn by the subscriber</i> |
|----------------|---------------------------|--|--|---|--------------------------------------|--|--|---|---|
| (1)            | (2)                       | (3)  | (4)  | (5)                                       | (6)                                  | (7)  | (8)  | (9)   | (10)  |

Months in which the several instalments were refunded

|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| 1    | 2    | 3    | 4    | 5    | 6    | 7    | 8    | 9    | 10   | 11   | 12   | 13   | 14   | 15   | 16   | 17   | 18   | 19   | 20   | 21   | 22   | 23   | 24   |
| (11) | (12) | (13) | (14) | (15) | (16) | (17) | (18) | (19) | (20) | (21) | (22) | (23) | (24) | (25) | (26) | (27) | (28) | (29) | (30) | (31) | (32) | (33) | (34) |

**FORM 7**

[See Statute 38 (2) (b) of Chapter IV]

**Form of Assignment**

I, A. B. of.....hereby assign unto the Governor of Kerala the within policy of assurance as security for payment of all sums which under statute 38 (2) (b) of the Private College Teachers Provident Fund, I may hereafter become liable to pay to that Fund.

I hereby certify that no prior assignment of the within policy exists.

Dated this.....

Day of 19.....

Signature of Subscriber.  
(one witness to signature)

**FORM 8**

[See Statute 38 (3) (a) of Chapter IV]

**Application for withdrawal from the Private College Teachers Provident Fund towards payment of Insurance premia**

1. Name of Subscriber
2. Designation and name of the Private College in which he is working
3. Policy number and amount of premia payable
4. Amount at credit in the savings bank pass book on the date of application
5. Amount of subscriber's subscription
6. Amount to be withdrawn (in whole rupees)

Place: [ ] Signature of the Principal. Signature of the Subscriber.  
Date: [ ]

33/1393/MC.



## FORM 9

[See Statute 38 (3) (d), Chapter IV]

**Register to be maintained by the Zonal Deputy Director of Collegiate Education**

| Sl. No. | Policy No. | Amount of Premium | Premium withdrawn |          | Premium receipts |       | received            |  |
|---------|------------|-------------------|-------------------|----------|------------------|-------|---------------------|--|
|         |            |                   | When due          | Re-marks | Amount           | Month | Period paid covered | Dated the Zonal Deputy Director of Collegiate Education concerned in token of inspection and stamping on the receipt with "No abatement of Income-Tax" stamp |
| (1)     | (2)        | (3)               | (4)               | (5)      | (6)              | (7)   | (8)                 | (9)  |

## FORM 10

[See Statute 38 (5)]

**Reassignment by the Governor of Kerala**

The Governor of Kerala doth hereby reassign the policy to the said A. B.

Dated this..... day of 19.....

Executed by the Zonal Deputy Director of Collegiate Education concerned on behalf of the Governor of Kerala in the presence of

Signature of the Zonal Deputy Director of Collegiate Education.

(One witness should add his designation and address)

## FORM 11

(See Statute 40, Chapter IV)

**Bill for Contribution to Private College Teachers' Provident Fund**

Received the sum of Rs.....(.....)  
being the amount due from Government as contribution to Private College  
Teachers Provident Fund as per Chapter IV for disbursement to.

Certified that acknowledgement from the payees will be forwarded to  
the Accountant General.....as soon as the amount  
is disbursed to the parties concerned.

Signature of Countersigning Officer,  
Zonal Deputy Director of Collegiate  
Education.

Signature of the Principal.

# FORM—A

Name of the College..... Statement of particulars for allotment of provident fund account numbers to compulsory subscribers for the month. Please read carefully the instructions printed on the reverse before filling in the form.

Head of account to which pay and allowances are debited.....

Name of Fund.....

| Sl. No. | Name of (subscriber) | Name of subscriber's father/husband | Date of birth of subscriber | Date of joining service | Designation | Emoluments | Monthly rate of subscription (in whole rupees) | Month from which subscription to commence | Remarks | To be filled by Account Officer<br>Acct. No. Allotted |
|---------|----------------------|-------------------------------------|-----------------------------|-------------------------|-------------|------------|--|---|---------|---|
| (1)     | (2)                  | (3)                                 | (4)                         | (5)                     | (6)         | (7)        | (8)  | (9)                                       | (10)    | (11)  |

No. Dated  
Forwarded in triplicate to the Account Officer for necessary action. The teachers whose names are included in this statement are required to join the Fund under the ..... Statutes of the Calicut University. Their names have not been included in the previous statements and they are not already members of any Provident Fund. (Nominations of teachers are enclosed as mentioned in the remarks column).

Name of the College.

No. Dated  
Returned to ..... Account Nos. allotted may be intimated to the subscribers and also noted in the service Books, nominations and other office records. In all correspondence connected with, this should be quoted. Receipt of nominations in respect of teachers at Sl. Nos..... is hereby acknowledged.

Account Officer.



### Instructions for filling the statement:

- (a) This form should be used only in cases where subscription to the Fund is compulsory.
- (b) Separate forms should be used for different Provident Funds e.g. General Provident Fund, Contributory Provident Fund etc.
- (c) Separate forms should be used for persons whose pay and allowances are debited to different major and sub-major heads of account.
- (d) Name of the Fund may be filled in by suitable words (e.g.) Teachers' Provident Fund.
- (e) The statement should be sent in triplicate. It should include permanent teachers who joined service in previous month and are required to join the fund compulsorily on entry into Private College and temporary teachers who will complete one year's continuous service or otherwise become eligible to subscribe to the Provident Fund, three months hence.
- (f) Column 3. Husband's name (instead of father's name) may be given in respect of married female subscribers indicating the position.
- (g) Column 7. Dearnes pay, if any, may be distinctly shown.
- (h) Column 8. Please see Statute..... of the Private College Teachers Provident Fund.
- (i) In the case of teachers nomination should be obtained in the prescribed form from the subscriber..... and forwarded to the Accountant General along with this statement making a suitable note in the remarks column.

## FORM B

(See Statute 81 Chapter V)

**Form of application for Temporary advance against deposits  
in Kerala Private College Teachers' Provident Fund  
(Chapter V)**

1. Name and Account No. of the subscriber
2. Monthly pay, Dearness pay and designation
3. Amount of advance required (both in figures and words)
4. Purpose for which it is required
5. No. of instalments of recovery proposed
6. Date of complete repayment of the previous loan
7. Details of advances pending recovery:
  - (1) the amounts of previous advances
  - (2) dates of drawal of each advance
  - (3) balance outstanding against each advance
8. Name of treasury at which payment is desired
9. I hereby declare that the above statements are true and that I agree to abide by the Kerala Private College Teachers' Provident Fund Statutes in force. I also promise to repay the above advance in equal monthly instalments.

Place:

Signature of the subscriber with  
name and designation.

Date:

## 10. Enquiry certificate:

Place:

(Signature of Principal)

Date:

**Verification Report**

11. Total amount at the credit of the applicant.
12. Amount of advance admissible.
13. No. of instalments of repayments.
14. Any other fact requiring consideration.

Account Officer/Head of Office/Department

## FORM B.1

(See Statutes 81 of Chapter V)

**Application for non-refundable withdrawal from the  
Kerala Private College Teachers' Provident Fund.**

1. Name and designation of the subscriber.
2. Pay and dearness pay.
3. Provident Fund Account No.
4. Whether subscriber had opted for the Kerala Private College Teachers' Provident Fund Statutes within the prescribed time limit.
5. Date of retirement on superannuation.
6. Total service (in year) under the Management as on this date.
7. Object of the withdrawal.
  - (a) if the withdrawal is required for meeting the expenditure in connection with the—
    - (i) higher education of any child or dependent of the subscriber, specify the nature and duration of the course (in the case of a dependent, also specify whether the subscriber has any child).
    - (ii) marriage of a son or daughter or any other female relative dependent on the subscriber, indicate also the month in which the marriage takes place (In the case of a dependent, specify also whether the subscriber has any daughter).
    - (iii) illness of the subscriber or any person actually dependent on him; mention the nature of illness also.
    - (iv) Acquisition of a house and/or site, furnish in whose name(s) [subscriber(s) and or his wife's] it will be acquired and whether it is for the actual residence of the subscriber and/or his family.
    - (v) Construction, re-construction, repairs, etc. of a house; state whether the site on which the house is proposed to be constructed or the site on which the house proposed to be reconstructed, repaired,



altered etc., is situated, is owned by the subscriber and/or his wife, and whether the house is for the actual residence of the subscriber and/or his family.

(b) If the withdrawal is required for payment of a loan taken for the—

(i) marriage of a son or daughter or any female relative dependent on him;

Specify the amount of loan taken on account of the marriage, the balance outstanding against it and the date on which the marriage has been celebrated.

(ii) Construction of a house or allied purpose, state the amount of loan expressly taken for the purpose, the balance outstanding against it and in whose name [subscriber (s) and/or his wife's] the ownership of the house and/or site is vested.

8. Amount of the loan, if any, taken by the subscriber and or/his wife from the Government under any scheme sponsored by them for the grant of house construction loans, and the number and date of the orders/proceedings in which sanction was issued therefor.

This column need be filled in only if the subscriber proposes to make a withdrawal for house construction or allied purpose.

9. Amount of the withdrawal proposed (both in figures and words.)

10. Name of the treasury at which payment is desired.

11. (a) Whether any non-refundable withdrawal was made by him from the fund previously for the same or a different object and, if so, furnish the details thereof.

\*7. In respect of a female subscriber who applies for the withdrawal for house construction or allied purpose, the words 'His' and 'wife' occurring in column 7 may be read as 'her' and 'husband' respectively.

(b) If any withdrawal was made as mentioned in (a) above, state whether he had submitted these utilisation certificate in respect of that withdrawal to the appropriate authority within the prescribing time limit. If the certificate was not submitted within the said period furnish the reasons therefor.

12. Special circumstances which necessitate the withdrawal (this column need be filled in only if the amount proposed to be withdrawn exceeds half the amount at the credit of the subscriber in the Fund or six months pay whichever is less, or if the withdrawal requires sanction in relaxation of any of the provisions in the Statutes.

### DECLARATION

I,.....do hereby declare that the above statements furnished by me are true and that I agree to abide by the Kerala Private College Teachers Provident Fund Statutes as amended from time to time.

Dated signature of the subscriber

Place:

with full official address.

(To be filled in by the Principal)

I recommend for sanction the withdrawal of Rs.....(Rs..... only) by the subscriber.

### CERTIFICATES

1. It is certified that I have verified the particulars furnished by the subscriber against columns, 2, 3, 4, 5, 6, 8 and 11 with reference to the relevant records in my office and that they are found to be correct.

2. It is also certified that I have caused enquiries to be made about the statement contained in the application regarding the object of the proposed withdrawal and that I am satisfied that it is bona fide.

Station:

Dated signature of Principal.

### VERIFICATION REPORT

1. Total amount at the credit of the subscriber in the Fund
2. Amount admissible under the Statute
3. Statute (s) under which the sanction permitting the withdrawals by the subscriber is to be accorded
4. Any other facts which require special consideration

Account Officer/Principal.

To Endt. No.....dated.....

The.....

.....

The verification report shall be furnished by the Principal with reference to the latest annual account slip issued by the Account Officer and the office copies of the pay bills, etc., relating to the bills etc., subsequent period.

## FORM C

(See Statute 82, Chapter V)

**Form of sanction for temporary advance from Kerala  
Private College Teachers' Provident Fund**

A temporary advance from the Kerala Private College Teachers Provident Fund as particularised below is sanctioned by the undersigned under the Statute regarding that Fund.

1. Subscriber's name
2. Subscriber's designation
3. Subscriber's pay and dearness pay
4. Subscriber's Provident Fund Account No.
5. Amount of advance
6. Object of advance
7. Statute or Statutes under which the advance is sanctioned
8. Balance at credit of the subscriber on this date (as verified from the account last rendered by the Account Office/Head of Institution/Department)
9. Balance of previous advances, if any, outstanding against the subscriber
10. Date of repayment of previous advance, if any
11. Special reasons for granting the advance under Statutes 59 (1) (d)
12. No. of instalments in which the advance is to be recovered
13. Amount of each such instalment

*Signature of the Sanctioning Authority  
with designation.*

To

The Account Officer (P.F.) Office of the Director of Collegiate Education  
The District Treasury/Sub Treasury Officer.

The.....

Shri.....



## FORM C. 1

(See Statute 82, Chapter V)

1. Subscriber's Name in full
2. Subscriber's designation
3. Subscriber's pay (and D.P. if any) at the time of sanctioning the withdrawal [pay as defined in Rule 12 (23) Part I, Kerala Service Rule]
4. Subscriber's P. F. Account No.
5. Object of the non-refundable withdrawal
6. (i) Particulars and amount of loan if any, taken by the subscriber for house building purposes under any housing scheme of State Government  
(ii) Particulars and amount of any other assistance received by the subscriber from other Government sources, for the same purpose  
[sub-columns (i) and (ii) above need be filled up only if the withdrawal is sanctioned for house building or allied purpose]
7. Balance at the credit of the subscriber on the date of application (as verified from the account last rendered by the Account Officer and subsequent deposits and withdrawals)
8. Date of retirement
9. Total service rendered by the subscriber on the date of application
10. Amount of the non-refundable withdrawal
11. Statutes and Orders under which sanction is accorded
12. No. of instalments in which payment is to be made
13. Special reasons, if any, for granting the withdrawal

**FORM D**

(See Statutes 61 and 83, Chapter V)

### Form of Bill for payment of Provident Fund Money

### Adjustable by

Voucher No.

Date.

Bill for withdrawing final payment/Advance other withdrawals from the Kerala Private College Teachers Provident Fund of Shri/Smt.....of the.....for the month of.....

| Sl. No. | Name of subscriber and monthly pay | Kerala Private College Teachers Provident Fund Account No. | No. and date of sanction letter of authority | Final payment advance/ other withdrawals | Acquittance |
|---------|------------------------------------|--|--|--|-------------|
|---------|------------------------------------|--|--|--|-------------|

**Total**

### Space for classification

(Net amount required for payment  
in words of Rupees.....)

Signature \_\_\_\_\_

(Designation of the Drawing Officer)

Stamp

**Station:**

Date.....

Pay Rs.

(Rupees)

Treasury Officer Examined and entered

Contents received pay to.....

(Signature of the Drawing Officer)

Treasury Accountant.

I, Certified that I have satisfied myself that all sums included in bills in Form D drawn 1 month/2 months/3 months previous to this date in favour of Messrs.....Accounts Nos.....with the exception of those detailed 1st below (of which the total has been refunded by deduction from this bill) have been disbursed to the proper persons and that their acquittances have been taken and filed in my office with receipt stamp duly cancelled for every payment in excess of Rs. 20.

II. Certified that the balance at credit/at the credit of the subscriber on the date of the withdrawal covers the sum drawn in the bill. Certified also that the amount asked for in this bill is required to meet the yearly premium due on .....in respect of Policy No.....with the Life Insurance Corporation of India and that the policy in question has been assigned to the Governor and is in the custody of the Account Officer, or the details of the Policy proposed to be taken have been communicated to and accepted by the Account Officer in his letter No.....dated.....

Certified also that the number of policies financed from the Kerala Private College Teachers Provident Fund does not exceed four/the number of policies financed from Kerala Private College Teachers Provident Fund exceeds four as these were accepted prior to the commencement of the Kerala Private College Teachers Provident Fund Statutes.

Certified that I have satisfied myself that the amount withdrawn previously on the same account have been utilised by the subscriber for the purpose for which it was intended and that the relevant premium receipt/receipts/has/ have been duly enfaced by me.

Signature  
(Designation)

Give details here if more than one policy has to be cited.

#### FOR USE IN AUDIT OFFICE

Admitted Rs.

Objected Rs.

Auditor.



## FORM E

(See Statute 84, Chapter V)

**\*Application for Closure of Kerala Private College  
Teachers Provident Fund Account**

1. Name in full of subscriber and Account No.  
(as indicated in the latest annual account statement received from Accounts Officer)
2. Designation
3. Institution in which he is working/worked last
4. Where he had drawn his salary for the month immediately preceding the month in which he retires or proceeds on leave preparatory to retirement from service on superannuation. If so, furnish the date of drawal of the salary
5. Date of his quitting service (also state whether he will be quitting/he quitted the service by retirement or proceeding on leave preparatory to retirement. If he already quitted service otherwise, specify whether he quitted service by discharge, dismissal, resignation or death)
6. (a) No. and date of the bill/Treasury voucher in which the last provident fund deduction was made (Also indicate the name of the Treasury where the bill/voucher was encashed) (b) The amount of last Fund deduction—
  - (i) Subscription Rs.
  - (ii) Refund of advance Rs.
  - (c) Gross amount of the bill/treasury voucher
  - (d) Net amount of the bill/treasury voucher
  - (e) Date of encashment of the bill/treasury voucher.
7. (a) Whether any temporary advance was sanctioned to him from his Kerala Private College Teachers Provident Fund Account during the twelve months immediately preceding the date of application for closure of the account/his quitting service (if so, indicate

\*The Form shall be carefully filled in by the subscriber and submitted to the Principal. In the case of a subscriber who is no more, the Principal shall obtain from the nominee(s) in his/her/their absence from the other claimant (s) immediately after the death of the subscriber, an application for closure of the account and to forward it with necessary document to the Account Officer within a fortnight of the receipts of the application. The Principal will give such assistance to the nominees or claimants as is necessary to fill in the form of application properly.

the amount of the advance, the number and date of sanction and the date of drawal of the amount

- (b) Whether any non-refundable withdrawal was sanctioned to him from P. F. account during the twelve months immediately preceding the date of application for closure of account/his quitting service. (If so, indicate amount of advance, number and date of sanction and the date of withdrawal of the amount. (In both cases, if any amount was sanctioned for payment of insurance premium or for purchase of any policy, that fact should also be noted).

8. Particulars of Life Insurance Policies financed by him from P. F. Money which are to be released

Policy No. and Date of purchase

Sum assured Rs.

- 1.
- 2.
- 3.
- 4.

9. Name of the office through which payment is to be made

10. (A) In the event of death of a subscriber before making final disbursement of the P. F. amount, furnish also—

- (a) Date of birth of the subscriber
- (b) Date of commencement of continuous service under the management
- (c) Date of death
- (d) Whether proof of death in the form of death certificate issued by the Municipal Authorities or other competent authorities is available (the proof of death need be insisted upon only in cases of doubt).
- (e) Whether a valid nomination executed by the subscriber in accordance with the Statutes exists. (If so, furnish the age(s) and name(s) of the nominee(s) and his/her/their relationship to the subscriber).
- (f) In the case of a subscriber who sent in his nomination while unmarried, whether he has acquired a family after the submission of the first nomination and whether he has submitted a fresh one thereafter.

(B.) If there is no valid nomination, furnish a list of member(s) of the subscriber's family as defined in Statute 44 of the Kerala Private College Teachers Provident Fund Statutes surviving on the date of death of the subscriber to whom the P. F. money is payable together with his/her/their name(s) age(s) and respective relationship to the subscriber. (In the case of daughter(s) indicate whether she/they is/are married or unmarried. If married, furnish whether her/their husband(s) is/are alive.

(C.) In cases where there is no valid nomination and where no member of the family of the subscriber as defined in Statute 44 of the Kerala Private College Teachers Provident Fund Statutes survives, furnish the name(s) of the person(s) to whom the P. F. money is payable (to be supported by letters of probate or succession certificate, etc.)

D. If the subscriber had continued in service upto the date of his retirement on superannuation, furnish:—

- (i) Date of his retirement from service on superannuation
- (ii) Amount at his credit in the Fund at the time of his retirement
- (iii) Amount finally withdrawn after retirement, if any.

#### \*DECLARATION

I, ..... do hereby declare that the particulars mentioned above are true. I further declare that I do not/do accept the balance standing to my credit in the Kerala Private College Teachers Provident Fund Account No. .... communicated to me by the Account Officer in his annual account statement for the financial year ended on the .....19.....(\*\*)..... (here enter the financial year immediately preceding the date of his quitting service).

*Date of Signature of the subscriber  
Nominee(s) other claimant(s) with full  
home address.*

#### CERTIFICATES

To be filled in by Principal.

1. Certified after due verification with reference to the records available in my office that Shri/Smt. .... subscriber to P. F. Account No. .... has drawn on ..... his salary for the month immediately preceding the month in which he retires or proceeds on leave preparatory to retirement from service on superannuation and that he will be retiring/proceeding on leave preparatory to retirement from service for ..... months/has been discharged/dismissed/removed/has resigned/finally from service with effect from ..... F.N./A.N. and his resignation has been accepted.

\* If the application is submitted by a nominee or other claimants, the second sentence in the declaration may be scored off.

\*\* If the subscriber has not received the annual account statement for the financial year immediately preceding the date of his quitting service, he may indicate here the year of the latest annual account statement received by him. In cases where the subscriber does not accept the balance communicated to him, he should furnish briefly in a separate letter the reasons for not accepting the balance.

\* Certified also that he has quitted service with the prior permission of the Department to take up appointment in any Government Service.

2. Certified further after the verification with reference to the records available in my office that no temporary advance/non-refundable withdrawal was sanctioned to the subscriber from his Provident Fund account during the 12 months immediately preceding the date of his application for closure of the account/his proceeding on leave preparatory to retirement/quitting service. Certified also after due verification with reference to the records available in my office that the following temporary advance(s)/non-refundable withdrawal was/were sanctioned to the subscriber from his Provident Fund account during the twelve months immediately preceding the date of his application for the closure of P. F. account/his proceeding on leave preparatory to retirement/quitting service.

| <i>Amount of<br/>Temporary advance<br/>Rs.</i> | <i>Amount of<br/>non-refundable<br/>withdrawal<br/>Rs.</i> | <i>No. and date<br/>of sanction</i> | <i>Date of Voucher No.<br/>withdrawal</i> |
|--|--|-------------------------------------|---|
| 1.   |  |                                     |   |
| 2.   |  |                                     |   |
| 3.   |  |                                     |   |
| 4.   |  |                                     |   |

3. Certified also that the entries against column 1, 2, 3, 6 and 8 furnished by the subscriber/nominee(s) claimant (s) have been verified by me with reference to my office records and found correct.

Station:  
Date:

Signature of Head of Institution

\* This certificate is not necessary in cases other than resignation.

33/1393/MC.



## FORM F

(See Statute 84, Chapter V)

Office of the.....

No.

From

The

To

The

Sir,

With reference to your letter No.....dated..... intimating that.....quitted the service/died.....on..... and asking for payment of the amount at.....credit (Account No.....) in the Kerala Private College Teachers Provident Fund on that date, I authorise you to draw a sum of Rs. (.....) representing the amount of.....deposit with interest calculated up to.....by presenting bill at the.....treasury/cash counter of this office.

2. The disbursement should be made in terms of Statutes of the Kerala Private College Teachers Provident Fund and a certificate of disbursement of the amount furnished in your next establishment bill.

3. The deceased by a declaration, dated.....desired that the whole/portion of his accumulations in the Fund should be paid to the persons named below in the proportions mentioned against each.

4. The payee should be informed that he/she shall have to accept the amount when tendered.

5. The.....has been advised accordingly.

Yours faithfully,

(Signature)  
(Designation)

Copy to the

for information and favour of necessary action.

(Signature)  
(Designation)

Note: Paras 2 and 3 may be cut out when not required.

## FIRST SCHEDULE

[See Statute 55 (3), Chapter V]

## (FORM OF NOMINATION)

I (Name).....hereby nominate the person(s) mentioned below to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable or having become payable, has not been paid.

| Name and full address of nominee(s) | Relationship with the subscriber | Age | Share payable to each | Contingencies on the happening of which the nomination shall become invalid | Name Address, relationship and age of the person to whom the right of the nominee shall pass in the event of his predeceasing the subscriber | Name and address of the person to whom share is to be paid on behalf of minor |
|-------------------------------------|----------------------------------|-----|-----------------------|---|--|---|
| (1)                                 | (2)                              | (3) | (4)                   | (5)   | (6)  | (7)   |

Dated this.....day of.....19.....at.....

Signature of Subscriber  
Name:  
Account No.

two witnesses  
to signature (1)  
(2)

Countersignature of Zonal Deputy Director  
of Collegiate Education Department.

## INSTRUCTIONS

Column 1:—A subscriber can nominate more than one person. If he/she has a family as defined in the Kerala Private College Teachers Provident Fund, the nomination shall not be in favour of any person who is not a member of the family.

Column 4:—If the subscriber nominates only one person, the words "In full" may be noted, otherwise the share payable to each so as to cover the whole amount standing at the credit of the subscriber may be specified.

Column 5:—Death need not be shown as a contingency. In the case of persons having no family as defined in Kerala Private College Teachers Provident Fund, the subscriber shall state that the nomination shall become invalid in the event of his subsequently acquiring a family, similarly in the case of a subscriber having only one member in the family and who wishes to nominate another person as alternate nominee he shall specify that the right conferred on the alternate nominee shall become invalid in the event of the subscriber acquiring an additional member in the family.

Columns 6 & 7:—The name to be specified in these columns shall be that of a person other than the subscriber or nominee.

Account No.—In the case of a person who filed the nomination along with application for admission to the fund, this will be furnished by the Account Officer.

## SECOND SCHEDULE

[See Statute 66 (1) (a) Chapter V]

## FORMS OF ASSIGNMENT.

## I

I, A. B. of.....hereby assign unto the Governor of Kerala the within policy of assurance as security for payment of all sums which under statutes 70 of the Kerala Private College Teachers Provident Fund Statutes,.....I may hereafter become liable to pay to that fund.

I hereby certify that no prior assignment of the within policy exists.

Dated this.....day of.....19....

One witness to signature:

(Signature of subscriber)

Station:

## II

We, A. B. (the Subscriber) of .....and C. D. (the joint assured) of ..... in consideration of the Governor agreeing at our request to accept the withdrawal of the sum of Rs..... from the sum at recredit of the said A. B. in the Kerala Private College Teachers Provident Fund for the payment of the premium of the within policy of assurance hereby jointly and severally assign unto the said Governor the within policy of assurance as security for payment of all sums which under Statute 20 of Kerala Private College Teachers Provident Fund Statutes the said A. B. may hereafter become liable to pay to the fund:

We hereby certify that no prior assignment of the within policy exists.

Dated this.....day of.....19....

(Signature of Subscriber  
and the Joint assured)

One witness to signature:

Station:

*Note:*—The assignment may be executed on the policy itself either in the subscriber's handwriting or in type; or alternatively a typed or printed slip containing the assignment may be pasted on the blank space provided for the purpose on the policy. A typed or printed endorsement must be duly signed and if pasted on the policy it must be initialled across all four margins.



## III

I, C.D. wife of A.B. and the assignee of the within policy, having, at the request of A.B. the assured agree to release my interest in the policy in favour of A. B. in order that A. B. may assign the policy to the Governor of Kerala who has agreed to accept the withdrawal of the sum of Rs..... from the sum at credit of the said A. B. in the Kerala Private College Teachers Provident Fund for payment of the premium of the within policy of assurance, hereby at the request and by the direction of A. B. assign and I, the said A. B. assign and confirm unto the said Governor the within policy if assurance as security for payment of all sums which under statute 70 of Kerala Private College provident Fund Statutes; the said A. B. may hereafter become liable to pay to the Fund.

We hereby certify that no prior assignment of the within policy exists.

Dated this.....day of .....19....

One witness to Signature: \

(Signature of the assignee and  
the subscriber).

Station:

**THIRD SCHEDULE**

(See Statute 68 Chapter V)

**Form of reassignment by the Governor of Kerala****I**

All sums which have become payable by the above named Teacher A-B under statute 70 of the Kerala Private College Teachers' Provident Fund Statutes having been paid and all liability for payment by him of any such sums in the future having ceased, the Governor doth hereby reassign the within policy of assurance to the said A.B./A.B. and C.D.

Dated this.....day of.....19....

Executed by—

Account Officer (for and on behalf of the  
Governor in the presence of)

XY  
(Signature of Account Officer)  
YZ

(One witness who should add his  
designation and address)

Witness:

**THIRD SCHEDULE**

(See Statute 68 Chapter V)

**Form of reassignment by the Governor of Kerala****II**

The abovenamed A. B. having died on the .....day of 19.....  
the Governor doth hereby reassign the within policy assurance to C. D.

Dated this.....day of.....19....

Executed by:—

Account Officer (for and on behalf of the  
Governor of Kerala in the presence of)

XY

Signature of Account Officer.

XZ

(one witness who should add  
his designation and address)

**FOURTH SCHEDULE**

(See Statutes 69 Chapter V)

**Form of reassignment by the Governor of Kerala**

The Governor of Kerala doth hereby reassign the within policy to the  
said A. B./A. B. and C. D.

Dated this.....day of.....19....

Executed by—

Accounts Office (for and on behalf  
of the Governor in the presence of)

XY

(Signature of the Accounts Officer)

YZ

## APPENDIX I

(See Statute 76, Chapter V)

**Payment of amounts to nominees**

1. Any sum payable under Statute 76 to a member of the family of a subscriber vests in such member under sub-section (2) of section 3 of the Provident Funds Act, 1925.
2. When a nominee is a dependent of the subscriber as defined in clause (c) of section (2) of the Provident Funds Act, 1925, the amounts vest in such nominee under sub-section (2) of section 3 of the Act.
3. When the subscriber leaves no family and no nomination made by him in accordance with the provisions on Statute 55 subsists or of such nomination relates only to and part of the amount standing to his credit in the Fund, the relevant provisions of clause (b) and of sub-clause (ii) of clause (c) of sub-section (i) of section 4 of the Provident Funds Act, 1925, are applicable to the whole amount or the part thereof to which the nomination does not relate.

## APPENDIX II

(See Note 2 (ii) under Statute 76, Chapter V)

Forms of Bond of Indemnity for drawal of Provident Fund money due to the minor child/children of a deceased subscriber by a person other than its/their natural guardian where each minor's share does not exceed Rs. 500

KNOW ALL MEN BY THESE PRESENTS THAT WE...SRI .....

(Here enter name and address) hereinafter called the bounden (a) and Sri.....and Shri.....(b) (here enter names and addresses) hereinafter called "the sureties" do hereby bind ourselves and each of us our and each of our heirs, executors and administrators jointly and severally to pay to the Governor of Kerala (hereinafter referred to as the 'Government') on demand the sum of Rs.....(Rupees in words).....

Signed and dated this the.....day of.....one thousand nine hundred and

WHEREAS (C).....was at the time of his death a subscriber to the Kerala Private College Teachers Provident Fund and WHEREAS the said (c).....died on the day of.....19.....and a sum of Rs.....(Rs.....) is payable by the Government on account of his Kerala Private College Teachers Provident Fund accumulations AND WHEREAS the above bounden (2).....(hereinafter called the claimant (s) Claim(s)\* the said sum on behalf of the



minor/child/children of the said (C).....but has/have not obtained a guardianship certificate.

AND WHEREAS THE claimant (s) has/have satisfied the (d)..... (Officer concerned) that he/she/they/is/are entitled to the aforesaid sum and that would cause undue delay and hardship if the claimant (s) were required to produce a guardianship certificate/AND WHEREAS Government desire to pay the said sum of the claimant(s) but under the Statutes and orders it is necessary that the claimant(s) should first execute a bond with two sureties to indemnify Government against all claims to the amount so due as aforesaid to the said (c).....(deceased) before the said sum can be paid to the claimants.

NOW THE CONDITION of this bond is such that if after payment has been made to the claimant(s), the claimant(s) or sureties shall in the event of a claim being made by any person other than the claimant(s) against Government with respect of the aforesaid sum of Rs.....refund to Government the sum of Rupees.....(Rs.....) and shall always indemnify and save Government harmless from all liability in respect of the aforesaid sum and all cost incurred in consequence of any claim thereto.

Then the above written bond or obligation shall be void but otherwise the same shall remain in full force and virtue;

The liability of the sureties under this bond is co-extensive with that of the bounden and shall not be affected by the Government giving time or any other indulgence to the bounden:

Provided further that the bounden and the sureties do hereby agree that all sums found due to the Government under or by virtue of this bond may be recovered jointly and severally from them and their properties movable and immovable as if such dues were arrears of land revenue under the provisions of the Revenue Recovery Act for the time being in force or in such other manner as the Government may, deem fit.

- (a) Full name of claimant(s) with place(s) of residence
- (b) Full name(s) of the sureties.
- (c) Name of deceased.

\*Here insert "to be entitled to or "as guardian", as the case may be.

- (d) Title of the officer responsible for payment.

Signed by the Bounden Sri.....

In the presence of witnesses:

- (1)
- (2)

Signed by the Sureties Sri.....  
and Sri.....

In the presence of witnesses.

- (1)
- (2)

## APPENDIX III

(See Note 3 under Statute 76, Chapter V)

Form of Indemnity that should be taken for authorising payment of the Kerala Private College Teachers Provident Fund deposits without insisting on the production of letters of administration or other legal authority to a person claiming payment as heir of the deceased nominee of the subscriber

KNOW ALL MEN BY THESE PRESENTS that we Sri..... (Here enter name and address) (Hereinafter called "the bounden") (a)" and Sri.....and Sri.....(b) (Here enter names and addresses) (hereinafter called "the sureties") do hereby bind ourselves and each of us and each of our heirs, executor's and administrators jointly and severally to pay to the Governor of Kerala (hereinafter referred to as "the Government" on demand the sum of Rs.....(Rupees..... in words).

Signed and dated this the.....day of.....one thousand nine hundred and seventy.....

WHEREAS (c).....was at the time of his/her death a subscriber to the Kerala Private College Teachers Provident Fund and WHEREAS the said (c).....died on the day of.....19.....

WHEREAS a sum of Rupees (Rs.....) is payable to (d)..... the nominee of the said (c).....by the Government on account of the Kerala Private College Teachers' Provident Fund Accumulations of the said (c).....AND WHEREAS the said (d).....predeceased the said (c)...../died after the said (c)..... but before receiving payment;

AND WHEREAS the above bounden [hereinafter called the claimant(s) claim(s)] the said sum but has/have not obtained probate or letters of administration or other legal authority;

- 
- (a) Full name(s) of the claimant (s) of residence.
  - (b) Full name of the surety.
  - (c) Full name of the subscriber.
  - (d) Full name of the nominee.

AND WHEREAS...../Government desire(s) to pay the said sum to the claimant(s) but consider(s) is necessary that the claimant(s) should first execute a bond with two sureties to indemnify the Government against all claims to the amount so due as aforesaid before the said sum can be paid to the claimant(s) NOW THE CONDITION of this bond is such that

if after payment has been made to the claimant(s), the claimant(s) or the said sureties shall in the event of a claim being made by any person other than the claimant(s) against the Government with respect to the aforesaid sum of Rupees (Rs.....) refund to the Government the sum of Rs..... and shall otherwise indemnify and save the Government harmless from all liabilities in respect of the aforesaid sum and all costs incurred in consequence of any claim thereto.

THEN the above written bond or obligation shall be void but otherwise the same shall remain in full force and virtue.

The liability of the sureties under this bond is co-extensive with that the bounden and shall not be affected by the Government giving time or any other indulgence to the bounden:

Provided further that the bounden and the sureties do hereby agree that all sums found due to the Government under or by virtue of this bond may be recovered jointly and severally from them and their properties movable and immovable as if such dues were arrears of land revenue under the provisions of the Revenue Recovery Act for the time being in force or in such other manner as the Government may deem fit.

Signed by the bounden Sri.....

In the presence of witnesses.....

(1)

(2)

Signed by the sureties Sri.....  
and Sri.....

In the presence of witnesses,

(1)

(2)

#### APPENDIX IV

[See Statute 4 (2)]

#### Form of option for teachers in Private Colleges who entered service prior to 1-4-1958

"I,..... hereby opt to be governed by Chapter II of the First Statutes on Pension prescribed under the Calicut University Act, 1975 (5 of 1975).

"I,..... hereby opt for the age of retirement of 60 years and thus to be governed by the provisions of Chapter III of the First Statutes on pension prescribed under the Calicut University Act, 1975 (5 of 1975).

Station:

Date:

Signature:

Name:

Designation:

Office/Department:



## NOTIFICATION—II

No. 35729-A/B2/75/H. Edn.

*Dated, Trivandrum, 30th March 1976.*

In exercise of the powers conferred by Section 82 of the Calicut University Act, 1975 (5 of 1975), the Government of Kerala hereby make the following First Statutes in respect of Pension, Provident Fund, Gratuity, Insurance and age of retirement of the Members of the Non-Teaching staff in Private Colleges and for those in Oriental Title Colleges, namely:—

### First Statutes

First Statutes regarding teaching staff to apply to certain other categories:—The First Statutes in respect of Pension, Provident Fund, Gratuity, Insurance and age of retirement of teachers in Private Colleges issued under Notification No. 35729/B2/75/Higher Education dated 30-3-1976 and published in the Kerala Gazette Extraordinary dated 1-4-1976 shall mutatis mutandis apply to all the members of the non-teaching staff in Private Arts and Science Colleges, Private Engineering College, Private Training Colleges and to the teachers and members of the non-teaching staff in Oriental Title Colleges (Arabic Colleges), subject to the following modifications, namely:—

(i) (a) to clause (1) of Statute 3, the following provisos shall be added, namely:—

“Provided that the members of the non-teaching staff of Private Arts and Science Colleges, Engineering College and Private Training Colleges, who entered service before 1-4-1962, shall be given option to retire at sixty years of age or to opt for Chapter II:

Provided further that those members of the non-teaching staff who are in the Last Grade [as defined in Rule 12 (16-A) of Part-I of the Kerala Service Rules] on 7th April, 1970 will retire on the afternoon of the last day of the month in which they attain the age of 60 years, subject to the condition that this benefit will be available to them only so long as they continue to be in the last grade service:

Provided also that teachers and non-teaching staff of Oriental Title Colleges (Arabic Colleges), who entered service before 15-4-1966 shall have the right to retire at the age of sixty and be governed by the provisions of Chapter III or to opt for those in Chapter II.

(b) Nothing contained in clauses (3), (4), (5) and (6) shall apply to the members of the non-teaching staff of Private Colleges.



### **Explanatory Note**

These do not form part of the Notifications but are intended to give the general purport.

Section 82, Calicut University Act, 1975 (5 of 1975), confers power on the Government to make the First Statutes of the University of Calicut, notwithstanding anything contained therein. It is considered necessary that First Statutes in respect of Pension, Provident Fund, Gratuity, Insurance and age of retirement of the members of teaching and non-teaching staff in Private Colleges and Oriental Title Colleges under the Calicut University should be issued forthwith. The present notifications are intended to achieve this object.

(ii) In Statute 10, for the Table, the following Table shall be substituted, namely:—

TABLE

| Category   | Those who have not completed the age of 30 years | Those who have completed the age of 30 years but not 35 years | Those who have completed the age of 35 years but not 40 years |
|--|--|---|---|
|  | Rs.  | Rs.   | Rs.   |
| 1. Non-teaching staff—supervisory (Senior Superintendent, Junior Superintendent and Head Accountant) | 3,000  | 2,500   | 2,000   |
| 2. Non-teaching staff (Other than supervisory and last grade) and Librarian                          | 2,000  | 1,500   | 1,000   |
| 3. Non-teaching staff—last grade   | 1,000  | 1,000   | 1,000   |
| <i>Oriental Title Colleges</i>   |  |   |   |
| 4. Principal   | 5,000  | 4,500   | 4,000   |
| 5. Lecturer Gr. I  | 3,000  | 2,500   | 2,000   |
| 6. Lecturer Gr. II   | 2,000  | 1,500   | 1,000   |

(iii) in Statute 27(1), (c), for the expression "Contributory Provident Fund for Private College Teachers", the expression "Contributory Provident Fund for members of the non-teaching staff of Private Colleges" shall be substituted:

(iv) In Statute 45 (1), for the expression "the Kerala Private College Teachers Provident Fund", the expression "the Kerala Private College Non-Teaching Staff Provident Fund" shall be substituted.

2. This Statute shall come into force at once.

By order of the Governor,

V. VENKITANARAYANAN,

Special Secretary to Government.